

MINISTRY OF TRANSPORTS AND
INFRASTRUCTURE
ROMANIAN RAILWAY AUTHORITY – AFER



ROMANIAN RAILWAY SAFETY AUTHORITY
- ASFR



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Annual report of Romanian Railway Safety Authority - 2011 -

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A. Scope of report

Romanian Railway Safety Authority - ASFR is the national safety authority set up on the basis of provisions of article 16 of Law no.55/2006 on railway safety with subsequent amendments, which transposed Directive 2004/49/EC into national law.

The Romanian Railway Safety fulfils the following tasks :

- a) Authorization of putting into function the structural subsystems of the railway system according to the provisions of article 15 of Directive on the railway system interoperability and verification of the observance of the essential requirements relevant to the operation and their maintenance;
- b) monitoring the compliance with the essential requirements with the interoperability constituents;
- c) authorization of putting into function and placing into service of a new rolling stock or substantially modified that is not yet covered by a TSI;
- d) issuing, renewal, modification and revocation of the relevant parts from the safety certificates and safety authorizations granted and verification of the compliance of conditions and requirements established by these and the fact that the railway infrastructure administrators and the railway undertakings are functioning according to the requirements of the Community or national law;
- e) monitoring, promotion and, if case, the application and developing the legal frame in the safety field, including the system of national safety norms;
- f) surveillance of proper registration of vehicles in the National Register of Vehicles and the information contained therein related to safety are accurate and updated.

The annual report is drawn up according to the model transmitted by the European Railway Agency- ERA and contains the elements mentioned to article 18 of Directive 2004/49/EC on European railways safety that are referring to:

- a) development of railway safety, including an inventory at the level of Romania of safety common indicators (I.S.C.);
- b) important modifications of legislation and regulations on the railway safety;
- c) developing safety certification and safety authorization;
- d) results and experience referring to the control of the railway infrastructure administrators and of the railway undertakings.

B. Introductory section

1. Introduction

The Romanian Railway Safety Authority – ASFR draws up the present annual report with its activities of 2011 in order to transmit it to the European Railway Agency – ERA until September 30, according to article 18 of Law 55/2006 on railway safety, which transposes in the Romanian legislation the provisions of the Directive 2004/49/EC and also the publication in AFER's bulletin and on the site of the Romanian Railway Authority- AFER.

The target audience of the present report is composed of the public railway infrastructure administrators/manager, railway undertakings and also other bodies and economic operators from the railway field.

2.Information on the Romanian railway infrastructure

The public railway infrastructure belongs to the Romanian state and is assigned to the National Company of Railways "CFR"- SA, without paying any taxes on a period of 49 years from the date of its foundation (1998), on the basis of a contract signed with the Ministry of Transports.

The Romanian railway conventional network (route measured on hectometre terminals) is of 10818 km and respectively of 20129 km (double railway measured twice) from which 3268,2 km non-interoperable running sections.

The actual elements of the public railway infrastructure are defined in annex 2 to the Romanian Government Decision no.581/1998 concerning the foundation of the National Company of Railways "CFR"- SA, with subsequent modifications.

As has been stated in the previous reports, from the point of view of interoperability, the public railway infrastructure is classified in interoperable and non-interoperable.

The interoperable railway infrastructure is part of the railway infrastructure, afferent to the national and international traffic, managed according to the provisions of the legislation concerning free access of the railway undertakings that are developed according to the technical norms of interoperability adopted at European level, taken in the Romanian legislation.

The non-interoperable railway infrastructure is part of the public or private railway infrastructure of state, afferent to local traffic, connected or not to the interoperable railway infrastructure and that is managed and is developed on the basis of specific internal regulations. The non-interoperable railway infrastructure consists mainly of low usage lines, of connection or clogged, of minor importance and can be rented by the National Company of Railways "CFR"- SA to other economic agents that are performing transport operations, named administrators of the non-interoperable infrastructure.

Administrator of the non-interoperable railway infrastructure is any legal person or group of legal persons registered in Romania that has as object of activity the performance of the works of railway infrastructure maintaining and repair and also the performance of auxiliary services for railway transports, each authorized by AFER for the activities undertaken on the running sections of the non-interoperable railway infrastructure that have its own qualified personnel and authorized by AFER according to regulations in force and that is committed to operate them in strict accordance with general and specific regulations concerning transportation on Romanian railways.

During 201, the renting activity was continued by the non-interoperable infrastructure administrators of lines with low usage, of connection or clogged, of minor importance. Until now were rented running sections with a total length of approximately 2348,9 kilometres.

In 2011, the involved factors continued to act in order to perform the activities afferent to the following directions:

- Realization of TEN railway network of Romania;
- Modernisation of the fourth transEuropean corridors;
- Modernisation of the railway stations (Eurostations);
- Centralizing electronic railway stations;
- Maintenance of the railway infrastructure elements in order to get them to operational and safety parameters;
- Railway norms .

Therefore, the works of rehabilitation and modernization of the railway infrastructure continued on *București-Brașov (section Câmpina-Predeal)*, *Frontier - Curtici – Simeria*, *București-Constanța (intervals București Băneasa - Fundulea, Fundulea – Fetești)* and *Brașov –Simeria (sections Coșlariu – Simeria and Coșlariu – Sighișoara)* situated on the fourth corridor.

Within the Modernization program of the railway stations were performed rehabilitation and modernization railway stations, being received from the beginning of the program a number of 20 railway stations (railway stations Arad, Alba Iulia, Sibiu, Sighișoara, Brașov, Ploiești Sud, Focșani, Galați, Tulcea, Oradea, Suceava, Bacău, Buzău, Drobeta Turnu Severin, Fetești, Sibiu with funds from Credit Suisse First Boston and railway stations Cluj Napoca, Craiova, Constanța and Iași with funds from BERD).

Also, during 2011, for a number of 15 railway stations (Zalău, Bistrița Nord, Târgu Mureș, Reșița Sud, Sfântu Gheorghe, Râmnicu Vâlcea, Pitești, Slatina, Giurgiu Oraș, Călărași Sud, Slobozia, Brăila, Vaslui, Piatra Neamț, Botoșani) financing contracts were signed and were conducted tenders for the work contracts procurement.

Also were completed electronic interlocking works in the following railway stations: Ploiești Vest, Ploiești Est, Ploiești Triaj, Ploiești Sud, Deva, Simeria, Alba Iulia, Sighișoara, Lugoj, Caransebeș, Chiajna, Focșani, Chitila, Palas, Buciumeni. Electronic interlocking works are in progress in the railway stations Fetești and Constanța.

The Romanian railway network map is presented in **Annex A.1.**

The list of the railway infrastructure manager/administrators is presented in **Annex A 2.1.**

The list of the railway undertakings is presented in **Annex A 2.2.**

3. Summary – Analysis on General Trend

In 2011, on the Romanian railway infrastructure occurred a total number of 217 of significant railway accidents. The number of significant railway accidents occurred in 2011 decreased with approximately 20% in comparison with 2010 when it was registered a number of 271 of significant railway accidents.

These decrease of the total number of serious accidents was mainly due to the reduction of the number of the railway accidents of persons caused by the moving rolling stock and also of the number of the railway accidents on the level crossings.

Also, in comparison with 2010 it is noticed a decrease of the number of the serious injured persons from 182 to 151, respectively a decrease of the number of deceased persons from 139 to 100.

C. Romanian Railway Safety Authority

1. Presentation of the organization

The Romanian Railway Safety Authority – ASFR is an independent body that is functioning within the Romanian Railway Authority- AFER, being organized and functioning according to the provisions of *Law no.55 of March 16, 2006 on the railway safety* that transposed into Romanian legislation the provisions of Directive 2004/49/CE on the safety of European railways and of the *Romanian Government Decision no.626/1998 on the organization and functioning of the Romanian Railway Authority-AFER*, modified and completed by the *Romanian Government Decision no.1561 of November 1, 2006*.

Romanian Railway Safety Authority – ASFR became operational from March 1, 2007 when the organization chart of the Romanian Railway Authority-AFER was approved by the Order of the Ministry of Transports no.373 of March 1, 2007.

Romanian Railway Safety Authority – ASFR is independent as regards the organization, the legal structure and the decisional process from any railway undertaking, railway infrastructure manager, applicant and procurement entity.

The executive management of the Romanian Railway Safety Authority is performed by a director board composed of 5 persons, whose president is the director of the Romanian Railway Safety Authority named by the order of the minister of transports and infrastructure.

The members of the director board are specialists from the Ministry of Transports and Infrastructure, named and revoked by the order of the minister of transports.

Also, the Romanian Railway Safety Authority director is member in the management board of the Romanian Railway Romanian- AFER.

The Romanian Railway Safety Authority director leads, organizes, coordinates and controls the entire activity within the Romanian Railway Safety Authority.

The chief inspector is subordinated to the Romanian Railway Safety Authority director and is the Director's deputy when he's not in the office. The chief inspector represents the organizational structures from its suborder in relation with other organizational structures within AFER. The chief inspector organizes, coordinates and controls the activity of the services from suborder and of the Railway Safety Inspectorates 1-8.

From the point of view of hierarchy of departments within Romanian Railway Safety Authority, it can be observed two structures within the Romanian Railway Safety Authority:

- **central structure composed of 7 departments, managed by department chiefs (from these, one department having in suborder an office and one department having in suborder a compartment), as follows:**
 - **Department of Traffic Safety Regulations** – subordinated to the Romanian Railway Safety Authority director. The department includes the Office for Harmonization of European Regulations, being subordinated to the chief of Department of Traffic Safety Regulations;
 - **Department of Structural Subsystems Control and Railway Suppliers** - subordinated to the Romanian Railway Safety Authority director;
 - **Department of Certification and Safety Authorization** - subordinated to the Romanian Railway Safety Authority director;
 - **Department of Putting into Function of Structural Subsystems** - subordinated to the Romanian Railway Safety Authority director;
 - **Department of Authorizing Railway Stations and Industrial Rails** - subordinated to the Romanian Railway Safety Authority director;
 - **Department of Traffic Safety Control** – subordinated to the Romanian Railway Safety Authority chief inspector;
 - **Department of Authorization, Personnel Certification** - subordinated to the Romanian Railway Safety Authority chief inspector. This department includes the Certification Compartment of counselors for dangerous goods, being subordinated to the Chief of Authorization, Personnel Certification.
- **the territorial structure is represented by 8 Railway Safety Inspectorates managed by territorial chief inspectors , all in the suborder of the Romanian Railway Safety Authority chief inspector.**

The Romanian Railway Authority- AFER, hereinafter AFER is organized and is functioning as public institution with legal personality in the suborder of the Ministry of Transports and Infrastructure and is entirely financed from its own revenues.

The Romanian Railway Authority- AFER was set up and is functioning on the basis of the Ordinance of the Romanian Government no.95 of August 27, 1998 on setting up some public institutions in the suborder of the Ministry of Transports, published to the Official Journal Part I

no.320 of August 30, 1998, approved by the Law no. 3/2002 with subsequent additions and modifications and on the basis of the *Romanian Government Decision no.626 of September 24, 1998 concerning the organization and the functioning of the Romanian Railway Authority- AFER*, published to the Official Journal Part I, no.373 of October 1,1998, modified and completed by the *Romanian Government Decision no.1561 of November 1, 2006*, published to the Official Journal, Part I, no.940 of November 21, 2006.

AFER is the technical specialized body of the Ministry of Transports and Infrastructure in the railway field, of subway and urban rail transport, designed to ensure mainly the activities foreseen by article 1, paragraph 2 of the Government Decision no.626/1998 modified and completed by the Romanian no.1561/2006.

Within AFER, beside the Romanian Railway Safety Authority is also functioning 3 independent bodies, with permanent activity, foreseen by the Law no.55/2006 on the railway safety:

- Romanian Railway Notified Body - ONFR;
- Romanian Railway Investigating Body - OIFR;
- Romanian Railway Licensing Body - OLFR.

The four bodies are represented by AFER in court, and the final consequences of the court decisions, shall be charged directly by the concerned body.

The main duties of the Romanian Railway Safety Authority – ASFR resulting from the *Law no.55/16.03.2006*, concerning railway safety with subsequent amendments and the *Government Decision no.626/1998 concerning the organization and functioning of the Romanian Railway Authority - AFER*, modified and completed by the *Government Decision no.1561/01.11.2006*, were submitted in the Annual Report of Romanian Railway Safety Authority for the year 2006, and the main duties of the organizational structure of the Romanian Railway Safety Authority, as resulting from Regulation of organization and functioning of the Romanian Railway Authority- AFER were submitted in the Annual Report of Romanian Railway Safety Authority for the year 2007.

These tasks are performed by the 138 employees of the Romanian Railway Safety Authority - ASFR.

Compared to 2010, in 2011 no changes have occurred in the organizational structure of the Romanian Railway Safety Authority - ASFR.

The organization chart of the Romanian Railway Safety Authority - ASFR is presented in **Annex B.1.**

2. Organizational flow

The organizational flow of the activities carried out by the Romanian Railway Safety Authority is presented in **Annex B.2.**

D. Development of railway safety

1. Initiatives to maintain / improve safety performances. In 2011, the investigation activity of accidents and incidents took place in accordance with the provisions of the *Regulation to investigate railway accidents and incidents, development and improvement of the railway safety on the Romanian rails*, approved by Government Decision no.117/17.02.2010, regulation which transposed the Directive 2004/49/CE in the national legislation, respectively the Law no.55/2006 regarding the railway safety, for the purposes of uniform application of these provisions by all operators conducting railway operations on romanian railways.

In accordance with the regulation provisions, the investigation of the accidents was performed by the Romanian Railway Investigating Body- OIFR, and the investigation of the accidents was performed, depending on the activity in which they occurred, the Commission consisting of OIFR representatives and economic operators performing transport operations on the involved railways,

respectively only by representatives of economic operators performing transport operations on the involved railways. Investigative reports prepared by OIFR besides describing the performed investigation objectives, if any, and safety recommendations.

In 2011, there was a total number of 71 train collisions with obstacles within the gauge line (animals unattended, cars parked in the structure clearance of the railway, rocks, trees, teams, and so on). A train collision with obstacles (team engaged in railway crossing by unsuitable places) inside the gauge line, has resulted in personal injury (unauthorized person).

Of all train collisions with obstacles within the gauge, a number of 2 cases resulted in derailments of trains, which were not taken into account in the derailments situation from 2011, which are the result of collisions between trains or obstacles inside the railway gauge.

Following the occurrence to collisions with obstacles within the clearance gauge trains (unattended animals, vehicles, acts intentionally produced by third persons for the purpose of business disruption or destruction of railway material goods), the rail staff approves the authorities of Railway Transport Police regarding the occurrence of this, and the latter, together with other institutions of the State shall identify those responsible for the recovery value of damage to railway vehicles and railway infrastructure.

In 2011 there was a total of **21 train derailments** that have been classified as accidents in accordance with the Rules of the *Regulation of investigating accidents and railway incidents, development and improvement of railway safety on the railways in Romania*, approved by Government Decision no. 117/17.02.2010, and the investigation was performed by OIFR, which issued, as appropriate, safety recommendations. Of the total derailment of trains, one falls as significant accident.

In 2011 there was a total number of **170 accidents at level crossings (of a significant number of 43 accidents that resulted in 57 injuries and 22 deaths)** and **166 cases of people injured by rolling stock in motion**, except for that there has been suicide investigation that resulted in **injuries to 88 people and the death of 78 persons**.

According to the *Regulation of investigating accidents and railway incidents, development and improvement of railway safety on the railways in Romania*, these are not investigated except in case the collisions of road vehicles at level crossings, due to no closing of the barrier or malfunction of the signaling system and after that resulted casualties or major damage.

Also, during the analysed period, a total number of 10 fires occurred in rolling stock, classified as accidents in accordance with provisions of the *Regulation of investigating accidents and railway incidents, development and improvement of railway safety on the railways in Romania*, and the investigation was performed by OIFR, which issued, as appropriate, safety recommendations. Of these a fire accident is qualified as significant.

Note that the information on fatalities or seriously injured in accidents such as collisions with obstacles within the clearance gauge trains (vehicles), hits at level crossings, or persons injured by rolling stock in motion, except suicide, not framing these cases according to legal regulations, representing just provided informations by the railway staff present on the site at the time of and regardless of subsequent health of victims, railway staff not having the necessary powers.

Safety recommendations issued by OIFR in the investigations reports are submitted to ASFR which analyse them to be followed, and identifies the measures to be taken and plan implementation.

Tabel D.1.1 – Safety measures generated by accidents/ precursors to accidents.

Accidents/ precursors that generated the measures			Final safety measures
Date	Place	Event presentation	
11.05.2011	Running line II (double electrified railway line), between railway station	Fire in the locomotive EA 40-0791-0 (belonging to the SC CARGO TRANS railway wagon Bucharest) found in hauling freight train no. 20 936. Following the accident investigation process resulted in "Failure to SR EN 50343:2006 <i>Railway applications</i> ."	For vehicles with new or upgraded, and repair of vehicles subject RR and RG (which are rewiring) will comply with the standard EN 50343: 2006 for selection, inspection and testing of

	Merișor and Bănița station km.66+500	<i>Rolling stock. Rules for cables</i>	vehicle electrical wiring before commissioning.
01.04.2011	Chișineu Criș railway station	Derailment and overturning of 9 wagons of the freight train no. 50505 (owned by the rail operator SC UNIFERTRANS SA). The accident investigation revealed that the derailment was possible given that, after the passing of the train no. 50,505 over the switch No.3, its point switch was half opened because it was not locked up.	Identification of technical solutions by insurance system with key lock for controlling the switch position, locking switch and removing the key from the lock can be made only after shutdown switches.

Tabel D.1.2 – Safety measures (or voluntary measures, its own initiative) other than those initiated by injury / accident precursors.

Area presentation	Event presentation (release)	Final safety measures
Shunting	<p>01.01.2011 – Running Shed Piatra Olt</p> <p>During shunting of the locomotive DHE no. 82-0141-0 (belonging to undertaking SNTFC „CFR Călători”SA București), running like a light locomotive, from the line 1, of the railway station Piatra Olt, having entrance route in the running shed , it happened the derailment of both bogies, by its falling into the tunk turntable of the shed.</p> <p>Following the incident investigation process resulted “Disparity between the provisions of the Regulation for train traffic and shunting no.005/2005 and the Instructions for the locomotive staff activity in railway transport no.201/2007 on the work done by shunting locomotive isolated stations equipped with ECD.</p>	During the development / updating program of specific regulations and metro rail, in 2012 was included a provisions review “Regulation for train traffic and shunting no.005/2005, that the provisions „Instructions for the locomotive staff activity in railway transport no.201/2007” by agreeing to all the provisions of these regulations.
Train braking	<p>02.02.2011 – Railway station Adjud</p> <p>After the arrival of the freight train no. 51352/51352-1 in Adjud railway station, at 11.10 the movements inspector from this railway station, during the visusl inspection of the wagons filling in the data in the route sheet observed that the necessary automatic braking load , coresponding to braking load percentage of 50% is bigger that the actual braking load . After the required train tonnage for the train 51352/51352-1 was sent on 02.02.2011 at 15.35 in safety railway conditions. Following the investigation process, revealed that the incident occurred due to the use, for the movement of freight train no.51352/51352-1 on the running distance Ciumești –</p>	During the development / updating program of specific regulations and metro rail, in 2012 was included a provisions review “Regulation for train traffic and shunting no.005/2005, that the provisions „regulation of hauling and braking no. 006/2005”.

	Dornești, the actual braking load percentage is smaller than the actual braking load stipulated in the working time table, thus being used a braking load percentage of 45% (required for the stipulated trains for the movement of transposed wagons and normal track gauge wagons) and not a braking load of 50% (the routes of these trains are used to train formed of normal track gauge wagons).	
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2. Detailed analysis of data trends

Following the entry into force a legal framework transposition into national legislation of the Directive 2004/49/CE, respectively the Law no. 55/2006 *regarding the safety railway*, safety indicators were drawn up in accordance with the provisions of the modified annex no.1 modified (through H.G no.644/07.07.2010 which transposed in national legislation the Directive 2009/149/CE) to Law no. 55/2006 *regarding the safety railway*.

For 2011, the safety indicators have been prepared on the basis of records kept by the manager / rail infrastructure managers and railway undertakings.

Detailed analysis of the evolution of numerical data on common safety indicators (CSI) and the definitions used are presented in Annex C.

3. Results of safety recommendations

Safety recommendations provided by Romanian Railway Investigating Body therefore of accident investigation were analyzed by the Romanian Railway Safety Authority, identifying the measures to be taken to implement, as follows:

➤ After the accident on 09.12.2010, the area activity of the Railway Branch of the Iasi County, between Railway Station Valea Seacă and Bacău, at the km 296+750, by collision of freight train no. 55101 (belonging to SNTFM „CFR Marfă” SA) stopped in the running line no. 58911 (composed of a small railway inspection car DC no. 1350-73 and special trailer RDC, belonging CNCF „CFR” SA) in circulation, OIFR issued 4 safety recommendations that were implemented in 2010 recommendation no less the number 4 regarding the check of all employees work in traffic safety responsibilities, as well as those in charge of training, guidance and control. Given the fact that the accident was part of a series of relevant accidents and incidents for the whole system factors that contributed leading to human errors in activities directly related to traffic safety, the Ministry of Transport and Infrastructure issued the order no. 79 dated 28.01.2011 which were ordered additional rail safety measures. Thus, between 14.02.2011 - 14.05.2011 the additional professional verification was undertaken of the railway staff knowledge with responsibilities in safety railway, the personnel involved in the organization and management of railway activity/ shunting operations and safety circulation, and verification of additional professional staff providing training, improvement and authorizing committees who participate in staff responsibilities in the safety circulation professional certified by the Romanian Railway Authority- AFER, according to art.15 from the Regulation of railway technical operation no.002, approved by Ministry of Public Works, Transport and Housing no. 1.186/2001;

Also, the Romanian Railway Safety Authority - ASFR performed actions of state inspection by railway safety inspectors on:

- the driving compliance and maintenance of plant and machinery for the construction, modernization, maintenance and repair of track and catenary;
 - in compliance with the Order of Public Works, Transport and Housing no. 447/2003 approving the Instructions for medical and psychological examination of transport personnel responsible for traffic safety and navigation and organization, functioning and health committees and psychological component of traffic safety, as amended and supplemented, under art. 13 of the annex. 1 in that order, for drivers / heavy track machinery, tower wagon drivers, drivers of the motorized train wagon , driving railcars, railway vehicles or similar to those.
- Following the accident on 11.05.2011, in the area activity of the Railway Branch of the Timisoara County, in the running line II (double electrified railway line), between km Merișor and Bănița Station, at km.66+500, OIFR issued a total of three safety recommendations including the recommendation no. 3 for "inclusion in the technical specifications for construction or modernization of rolling stock standard SR EN 50343:2006 *Railway Applications. Rolling Stock. Rules for cables installation*" was considered, analyzed and were identified the measures to be followed. Thus, in order to implement this , the Notified Romanian Body – ONFR for approval of the technical specifications for new and modernized vehicles, and repair of vehicles subject RR and RG (which are rewiring) will impose, as a reference, the standard SR EN 50343: 2006 for the election, vehicle inspection and testing before commissioning, for the cable power.
- Following the accident on 01.04.2011, in the area activity of the Railway Branch of the Timisoara County, in the Railway Station Chișineu Criș on the direct line III , OIFR issued a number of 3 safety recommendations, so:
1. Identify and implement technical solutions whereby insurance system with key locking for controlling the switch position, locking of the switch and removing the key from the lock can be made after the locking of the switch.
 2. Identify and implement technical solutions to eliminate the possibility the detachment tendency of the peak(top) of switches flexible needles with top stabilizer and insight locking anchor bars, from stations equipped with insurance systems as locks with keys that controls the switch position.
 3. To eliminate ambiguity in the regulatory framework on how to check the status secured with key lock switches with or without block created by using two different expressions used to define the same state of a switch and "assured switch" and "switch locked ".

Safety recommendations were considered, analyzed and identified steps to be followed.

Thus, Installations Division within National Railway Company CFR SA has identified technical solution whereby the insurance system for attitude control key lock switches, locking switch and remove the key from the lock can be made only after locking switches.

The technical solution consists of a control device insight locking anchor bars, solution that has already been applied to a number of 211 switches.

Following this analysis, were identified 1812 switches provided with insight locking anchor bars, equipped with key locking for the position control switches which are no longer provided with a device control , and a total of 135 switches to control the device can not be applied because of the structural characteristics points and crossing .

In all cases in which the switches may not be provided with control device for insight locking anchor bars is necessary to complete "Handling Instructions of the installation concerned with the obligation that the authorized agent for handling switches to verify, before removing the key from the lock switches that are not equipped with control device, achievement of locking distance for the insight locking anchor bars

E. Modifications of regulations and legislation

1. Implementation into national law of Directive 2004/49/EC

In order to harmonize the regulatory framework in Romania with those of other Member States of the European Union, passed the Law no. 55 of 16.03.2006 *on rail safety* transposing in the romanian legislation the provisions of Directive 2004/49/EC, a law that ensures the development and

improvement of the Romanian railway safety and improves access to the market for rail services.

By Government Decision no.1561 dated 01.11.2006 *amending and completing Government Decision no. 626/1998 regarding the organization and functioning of the Romanian Railway Authority - AFER (law which came into force on November 21, 2006)* Romanian Railway Authority - AFER was reorganized.

For carrying out tasks under the regulations in force , under the Romanian Railway Authority - AFER are functioning 4 independent bodies with permanent activity under Law no. 55/2006 on rail safety, namely: Railway Safety Authority- ASFR, Romanian Railway Notified Body - ONFR, Romanian Railway Investigating Body - OIFR, Romanian Railway Licensing Body - OLFR. Their tasks are set by the organization and operation regulations set out in the Annexes to the Regulation of organization and functioning of the AFER.

Have been transposed into national law the provisions of Directive 2004/49/EC relating to the regulation of safety certification of railway undertakings and safety licensing and licensing safety activity for the infrastructure managers, being approved in 2007 the Order of the Minister of Transport no.535 from 26/6/2007 *regarding approval of the licensing of railway and safety certificates to carry out railway services from Romania* (with applicability from 25/08/2007) with subsequent amendments and that in 2008 the Order of the Minister of Transport no.101 from 29.01.2008 *on providing granting of safety authorizations for the administrator/ infrastructure managers from Romania*, published in The romanian Official Journal part I , no.102/08.02.2008 (with applicability from 09/08/2010).

By Government Decision no. 644/07.07.2010 (with applicability from 09.08.2010) amending Annex. 1 of Law no. 55 on railway safety, has been transposed into national law Directive 2009/149/EC dated 27.11.2009, amending Annex I to Directive 2004/49/EC of the European Parliament and the Council, regarding safety common indicators and common methods to calculate accident costs.

By Government Decision no. 117/17.02.2010 (published in the romanian Official Journal, Part I, no. 138 from 02/03/2010, with applicability from 01/05/2010) was approved the *Regulation of investigating accidents and railway incidents, development and improvement of railway safety on the railways in Romania*. The development of the *Regulation of investigating accidents and railway incidents, development and improvement of railway safety on the railways in Romania*, had as a purpose the transposing into national legislation of the Directive 2004/49/CE, namely Law no. 55/2006 *on railway safety* in the unitary application of the provisions to all operators conducting railway operations in Romania.

One also transposes in the national legislation the Directive 2008/110/EC of European Parliament and Council from the 16th of December 2008, for the change of the Directive 2004/49/EC on the safety of the community railways, by the Law no. 65/2011 (applicable starting with the 19th of May 2011) for the amendment of the Law no. 55/2006 concerning the railway safety.

2. Important changes in the regulations and legislation

In 2011 the regulation activity was a priority activity for Romanian railway transport, a series of orders being approved, as follows:

- Law no. 65/10.05.2011 on the *modification and completion of the Law no. 55/2006 on railway safety*;
- Minister of Transports and Infrastructure Order no. 153/03.03.2011 on the *Modification and completion of the Regulation for train traffic and shunting of railway vehicles – no. 005, approved by the Order of the Minister of Transports, Constructions and Tourism no. 1816/2005, and to define the passenger trains categories depending on the services offered by the passengers railway transport*;
- Minister of Transports and Infrastructure Order no. 884/03.11.2011 for the modification and completion of Minister of Transport Order no. 535/2007 *on the approval of the norms for granting the railway operating licences and the safety certificates in order to carry out railway services on the romanian Railways*;

- Minister of Transports and Infrastructure Order no. 925/14.11.2011 for the modification and completion of Public Works, Transport and Housing Minister's Order no. 117/2003 on brake tests and *DESIRO* motorised train movement;
- Minister of Transports and Infrastructure Order no. 135/24.02.2011 on completing *art. 28 of Norms and tolerances instruction for track maintenance and construction - no. 314*, approved by the Order of the Minister of Transport and Telecommunications Deputy no. 89/1989;
- Minister of Transports and Infrastructure Order no. 586/05.08.2011 for approval of the Operating Regulation for train traffic on the distance Voislova – Bouțari and return;
- Minister of Transports and Infrastructure Order no. 315/2011 on approval of the railway provision "Railway vehicles. Revision types and planned repairs. Time norms or mileage for maintenance and planned repairs";
- Minister of Transports and Infrastructure Order no. 82/31.01.2011 for the *Modification of annex no. 1 of Minister of Transports and Infrastructure Order no. 815/11.10.2010 for the approval of Norms on implementing and development of the professional competences maintenance sistem for the personnel with responsibilities in traffic safety and for other personnel performing specific activities in transport operations on the Romanian railways and to update the list of functions with responsibilities in traffic safety, that forms-qualifies, perfect and regular professional checks at CENAFER – CENAFER.*
- Minister of Transports and Infrastructure Order no. 443/15.06.2011 on approval of the Norms for authorization for placing into service of new or upgraded industrial rails.

In the **annex D** will be presented the reason on the introduction, presentation of the orders and the date of the coming into force.

Also, during 2011 a series of order drafts were promoted, as follows:

- Draft Order of the Minister of Transports and Infrastructure for approval of the Norm on maximum continuum activity on the locomotive – Instruction 35/1996 of the SNCFR chairman;
- Draft Order of the Minister of Transports and Infrastructure on one-man driving (without driver assistant) of locomotives in hauling of direct trains;
- Draft Order of the Minister of Transports and Infrastructure on *the Modification and completion of the Regulation for train traffic and shunting of railway vehicles no. 005*, approved by Order of the Minister of Transports, Constructions and Tourism no. 1816/2005, with further amendments, of *Instructions for locomotive personnel activity in the railway transport no. 201*, approved by Order of the Minister of Transports, Constructions and Tourism no. 2299/2005 and of *Signalling Regulation no. 004*, approved by Order of the Minister of Transports, Constructions and Tourism no. 1482/2006;
- Draft Order of the Minister of Transports and Infrastructure for the *approval of the General regulation for vehicle shunting with slave locomotive on industrial rails.*
- Draft Order of the Minister of Transports and Infrastructure *for the approval of the derogations from the provisions of art. 54 (2) of the Railway Technical Operation Regulation no. 002*, approved by Public Works, Transport and Housing Minister's Order no. 1.186/2001 (for industrial track bond from SC Transilvania General Import - Export SRL Oradea – București County depot, with direct line I accept-dispatch from railway station Bucuresti Sud – Călători Group and hauling with motorised railway vehicles and hauling crew of economic operators, authorised by the Romanian Railway Authority - AFER.);
- Draft Order of the Minister of Transports and Infrastructure *for the approval of the Railway Technical Norm: Railway vehicles. Pair of wheels. Technical prescriptions for revision and repairs;*
- Draft Order of the Minister of Transports and Infrastructure *on the Certification of locomotive drivers operating on locomotives and trains in the Romanian railway system;*
- Draft Order of the Minister of Transports and Infrastructure *for the approval of Norms on granting the additional authorization for placing into service on the Romanian railway network of vehicles authorized prior in another Member State.*

F. Development of the certification and safety authorization

In 2011, the safety authorization of administrator/infrastructure manager of Romanian railway infrastructure was performed in the basis of the following legal papers:

- Romanian Government Ordinance no. 12/1998 *on romanian railway transport*;
- Romanian Government Decizion no. 581/1998 *on setting up the National Company of Romanian Railway "CFR" SA*;
- Romanian Government Ordinance no. 89/2003 *on the allocation of the railway infrastructure capacities, charges for the use of railway infrastructure and safety certification*, approved with modification by Law no. 8 of 18/02/2004
- Romanian Government Decizion no. 1696/2006 *on the approval of the Regulation for railway infrastructure capacities allocation*;
- Romanian Government Decizion no. 1409/2007 *on the approval of the Renting conditions by the National Company of Romanian Railway „C.F.R.”- S.A. of some parts of the non-interoperable railway infrastructure, as well as their management*;
- Minister of Transport Order's no. 101 from 29.01.2008 *on granting the safety authorizations to the Romanian administrator/infrastructure managers (from 09.03.2008)*.

Railway undertakings access on the Romanian railway infrastructure, during 2011, was performed in the basis of the following legal papers:

- Romanian Government Ordinance no. 12/1998 *on romanian railway transport*;
- Romanian Government Decizion no. 581/1998 *on establishing the National Company of Romanian Railway "CFR" SA*;
- Romanian Government Ordinance no. 89/2003 *on the allocation of the railway infrastructure capacities, charges for the use of railway infrastructure and safety certification*, approved with modification by Law no. 8 of 18/02/2004
- Romanian Government Decizion no. 1696/2006 *on the approval of the Regulation for railway infrastructure capacities allocation*;
- Minister of Transport Order's nr. 535 din 26.06.2007 *on the approval of the norms for granting the railway operating licences and the safety certicates in order to carry out railway services on the romanian Railways (from 25.08.2007) with further amendments*.

As stipulated in the prior reports, due to the issuing of safety certificates in the basis of *Minister of Transport Order's no. 535 from 26/06/2007 on the approval of the norms for granting the railway operating licences and the safety certicates in order to carry out railway services on the romanian Railways* (published in the Romanian Official Journal, Part I no. 501 from 26/07/2007), The Romanian Railway Safety Authority edited the data base with the data requested by the European Railway Agency, except the number of freight/passengers wagons, which is not a requirement for issuing the safety certificate.

1. National Legislation — starting date – availability

1.1 The starting date for the safety certification according to the art. 10 of the Directive 2004/49/EC (if necessary, difference between the part A and the part B):

- the 25th of August 2007

1.2 The starting date for the safety authorizations according to the art 11 of the Directive 2004/49/EC

- the 9th of March 2008

1.3 The availability of the national safety regulations or of other national relevant legislations concerning the railway enterprises and the infrastructure managers (web site, written documentation on request, etc.)

- there are sites WEB of Romanian Railway Authority (www.afer.ro) and of Romanian Railway Safety Authority (www.afer.ro/rom/ASFR/Romana/) where are presented the relevant documents, guides and the legislation for the carried out activities.

2. Numeric data

The elements concerning the safety certification and authorization are presented in the annex E.

3. Procedural issues

3.1 Safety certification, part A

3.1.1 Reasons to update/change the part A Certification (ex. change of the services type, traffic increase, company size)

- changes of initial identification data of applicant;
- introducing a new type of rail service;
- introduction of dangerous goods transport;
- transition to a category of transport volume bigger than the one mentioned referred to in the application or renewal of the safety certificate it holds at that time;

3.1.2 The main reasons if the main problem for the part A Certification (limited to those mentioned in the annex E and after all the necessary information was get) kept more than the 4 months stipulated at the art 12(1) of the safety Directive.

- None

3.1.3 Revision of the applications of other National Safety Authorities for checking/access to the information concerning the part A Certification of the railway enterprise that was certified in your country, but is applied to the part B Certification in other member states.

- None

3.1.4 The contents of the problems with the mutual acceptance of the Community of the part A Certification

- None

3.1.5 NSA fee for the part A Certification (Yes/No – Cost)

- In accordance with the Minister of Transports, Constructions and Tourism's Order no. 137/2003 concerning the approval of the tariffs for the specific services performed by Romanian Railway Authority-AFER, with the subsequent amendments.

3.1.6 The content of the problems generated by the harmonized forms using for the part A Certification, especially with reference to the sorts for the service type and its increase.

- None

3.1.7 The content of the common problems/difficulties for the NSA procedure in application for the part A Certification

- None

3.1.8 The content of the problems mentioned by the railway enterprises when one applies for the part A Certification

- No case

3.1.9 The feed/back procedure (ex. questionnaires) that allow the railway enterprises to express their opinion on the procedures/practices or on the complaint sheet.

- The possibility to appeal the Romanian Railway Safety Authority decisions was set by national legislation, Minister of Transport Order's no. 535/2007 with further amendments.

3.2 Safety certification part B

3.2.1 Reasons to update/change the part B Certification:

- changes of initial identification data of applicant;
- introducing a new type of rail service;
- introduction of dangerous goods transport;
- transition to a category of transport volume bigger than the one mentioned referred to in the application or renewal of the safety certificate it holds at that time;
- introducing running sections in annex no. I at the safety certificate part B;
- introducing shunting areas in annex no. I at the safety certificate part B;
- introducing motorised railway vehicles in annex no. II at the safety certificate part B.

3.2.2 The main reasons if the main problems for the part B Certification (limited to those mentioned at the annex E and after all the necessary information was get) kept more than those 4 months stipulated at the art. 12(1) of the safety Directive.

- None

3.2.3 NSA fee for the part B Certification (Yes/No / Cost)

- according to the Minister of Transports, Constructions and Tourism' Order no. 137/2003 concerning the approval of the tariffs for the specific services performed by AFER, with the further amendments.

3.2.4 The contents of the problems generated by the use of the harmonized forms for the part B Certification, especially in connection with the categories for the type and service increase.

- There were no problems in the use of the harmonized forms for the part B Certification.

3.2.5 The contents of the common problems/difficulties for the NSA applied procedures for the part B Certification.

- There were no problems/difficulties concerning the applied procedures for the part B Certification

3.2.6 The contents of the problems mentioned by the railway enterprises when one applies for the part B Certification

- There were no problems mentioned by the railway enterprises.

3.2.7 The feed/back procedure (ex. questionnaires) that allow the railway enterprises to express their opinion on the procedures/practices or on the complaint sheet.

- The possibility to appeal the Romanian Railway Safety Authority decisions was set by national legislation, Minister of Transport Order's no. 535/2007 with further amendments.

3.3 Safety authorizations

3.3.1 Reasons to update/amend the safety authorizations.

- whenever there are substantial changes in the railway infrastructure, signalling, power supply or operation principles or its maintenance;
- if the administrator / infrastructure manager changes its status, location, name;
- in the non-interoperable infrastructure manager wants to extend its activities on other running sections or restricting its activity, giving up some running sections.

3.3.2 The main reasons if the main problem for the safety authorizations (limited to those mentioned in the annex E and after getting the necessary information) kept more than 4 months stipulated in the art. 12(1) of the safety Directive.

- None

3.3.3 The contents of the common problems/dificulties for the applied procedures for the safety authorizations.

- There were no problems/difficulties concerning the applied procedures for „Safety Authorization”

3.3.4 The contents of the problems mentioned by the railway enterprises when one applies for the safety authorization

- there were no problems mentioned by the railway enterprises when one applies for the „Safety Authorization”

3.3.5 The feed/back procedure (ex. questionnaires) that allows the railway enterprises to express their opinion on the procedures/practices or on the complaint sheets.

- The possibility to appeal the Romanian Railway Safety Authority decisions was set by national legislation, Minister of Transport Order's no. 101/2008.

3.3.6.NSA fee for safety authorizations(Yes/No-Cost).

In accordance with the Ministry of Transports, Constructions and Tourism's Order no. 137/2003 concerning the approval of tariffs for specific services performed by AFER, with further amendments

G. Surveillance of the "Railway Undertakings" and of the "Infrastructure Managers"

1. Description of the railway undertakings surveillance and of the railway infrastructure manager /non-interoperable railway infrastructure managers.

According to the provisions of the Government Decision 626 /1998 concerning the organization and functioning of the Romanian Railway Authority - AFER, amended by the Government Decision no 1561/01.11.2006 as well as by the Ministry of Transports' Order no. 650 of 28/10/1998 for the organization and the state control and inspection in the railway and subway field and for some specific measures regarding the railway events inquiry, Romanian Railway Authority – AFER has performed state inspections and controls for supervision of the activities compliance with the railway national and international regulations, monitoring of the compliance with the regulations on traffic safety, transports security and public services quality, in the railway field.

Through the state controls and inspections performed at railway economic companies, it is checked the compliance with the regulations specific to transport security and traffic safety, public services quality, failures and the wrong working systems detection , as well as and the establishment of the specific measures for their prevention, analysis and removal.

The state control consists in the analysis of the whole activity of a railway economic company, during a certain period of time, concerning the traffic safety, transports security and railway and subway public services quality.

The state control is carried out according to a quarterly schedule which includes: controlled economic agent's name, thematic, period of time and the control length. The program is established by the Director of Romanian Railway Safety Authority - ASFR and is approved by the Minister of Transports and Infrastructure.

In 2011, the Romanian Railway Safety Authority - ASFR performed 77 state controls at the railway infrastructure manager, to non-interoperable railway infrastructure managers and to railway undertakings, as follows:

- head structure of National Railway Company "CFR" SA (public railway infrastructure manager);
- head structure of the National Passenger Railway Transport "CFR" SA;
- head structure of the National Railway Freight Transport "CFR Marfa" SA;
- territorial structures of the National Railway Company "CFR" SA (Branches CREIR CF 1-8);
- territorial structures of the National Passenger Railway Transport "CFR" SA (passenger rail branches 1-8);
- territorial structures of the National Railway Freight Transport "CFR Marfa" SA (branches 1-4);
- the private railway undertakings and / or non interoperable tracks managers SC Regiotrans SRL Braşov, SC Rail Force SRL Braşov, SC RC-CF Trans SRL Braşov, SC Softrans SRL Craiova, SC Transferoviar Grup SA Cluj Napoca, SC Transferoviar Călători SRL Bucureşti, SC Logistic Services Danubius SRL Timişoara, SC Kairos SRL Bucureşti, SC Constantin Grup SRL Bucureşti, SC Grup

Transport Feroviar SA București, SC Unifertrans SA, SC Vest Trans Rail SRL, SC Cargo Trans Vagon SA București, SC România Euroest SA Constanța, SC Construcții Căii Ferate SA Sibiu, SC Servtrans Invest SA București, SC Grup Feroviar Român SA București, SC RG Holz Company SRL Vișeu de Sus, SC Trans Expedition Feroviar SRL București, SC Via Terra Spedition SRL Cluj Napoca, SC Via Terra Trans SRL Cluj Napoca, SC Dori Trans SRL Roman, SC Regional SRL Cluj Napoca, SC Transblue SRL București, SC Rail Operation SRL București, SC DB Schenker Rail România SRL, SC Porr Railway Transport SRL București, SC Rail Cargo România SRL, SC Mecano Serv SRL Deva, SC Electro Comp SRL Iași, SC Unicom Tranzit SA București, SC Amurco SRL Bacău, SC Mechel SA Târgoviște, Societatea Națională a Sării S.A. București - Sucursala Exploatarea Minieră Râmnicu Vâlcea, Uzinele Sodice Govora - Ciech Chemical Group S.A. Râmnicu Vâlcea, SC Gosslin S.R.L. Timișoara, SC Oil Terminal S.A. Constanța, Reparații și Servicii Termoserv Craiova S.A., SC Remat S.A. Călărași, SC Olchim S.A. Râmnicu Vâlcea, SC Remat București Sud SA, SC TMK SA Reșița, SC Cefmur SA Târgu Mureș, SC Carmensimi Grup SRL Ploiești, SC UCM. Reșița SA, SC Asicar SRL Zalău, SC FSR Railservice SRL Sebeș, SC Servtrans Maintenance SA, SC Minprest Serv SA Rovinari, SC Apria SRL, SC Conpet SA Ploiești, SC Compania de Producție Feroviară SRL Buzău, SC Captrain România SRL București, SC Trade Trans Rail Logistics SRL Arad.

Following the state controls and inspections one found out a series of non-conformities that were recorded in the finding minutes and the controlled economic companies were informed in order to remove them, as follows;

a) concerning the compliance with the mandatory specific regulations in the construction, modernization, operation, maintenance, repairing and technical inspection of the public railway infrastructure:

- there are railway undertakings that carry out shunting and have access on the lines inside the railway station without having a contract for access on railway public infrastructure concluded with CNCF "CFR" SA, in contravention with the provisions of the Ministry of Transports Order no. 535/2007;
- the provisions of the Ministry of Transports, Constructions and Tourism's Order no. 2262/2005 on the authorization of the staff with responsibilities in traffic safety, that is to perform specific railway transport activities are not always respected;
- there are cases of railway stations which are not technically authorized in accordance with the Ministry of Transports Order no. 340/1999, amended by the Ministry of Transports, Constructions and Tourism's Order no. 2269/2004;
- There are cases remaining with:
 - performance of maintenance, inspections and repairs at the lines and art works;
 - periodical repair with heavy track vehicles with the complete cleaning of the track bed (RPc);
 - checking of the tracks with the testing and recording cars;
 - checking of the interlocking system equipments;
- there were not scheduled major overhaul at all overdue facilities to this type of repair;
- the majority of interlocking system equipments, that were not submitted to major overhaul, have exceeded the normal operation;
- in the repair and maintenance of the public railway infrastructure, from the checking performed in order to comply with the Ministry of Transports Order no. 290/2000 regarding the technical admission of the critical railway services, there were found out cases of non-compliances with the provisions of this order, meaning that these economic companies do not hold cumulative valid railway supplier authorizations and technical agreements / technical homologation certificates;
- there are cases where the non-interoperable railway infrastructure managers are not prepared with an approved program to raise and decrease speed restrictions, according to the lines instructions in force and contract provisions established with the takeover in management of non-interoperable department;

- there are cases when the deadline for the complete removal of the rails with failures, existing in the non-interoperable public infrastructure was exceeded, as against the provisions of the Instruction no. 302/1972.

b) concerning the compliance with mandatory specific regulations in the railway activities:

- there were not always respected the requirements, basis for granting the safety certificate part B;
- have found some cases of employees with responsibilities in traffic safety who have not carried out the medical and / or psychological examination at programmed data that were used in job-specific activities;
- there were not always respected the provisions of the Ministry of Transports, Constructions and Tourism's Order no. 2262/2005 concerning the authorization of the staff with responsibilities in the traffic safety, that is to perform specific railway transport activities on its own account;
- there are some cases when the reading and the interpretation of the speed tape records are not properly performed;
- there are some case when the exceeding of the maximum continuous activity accepted for the locomotive or the non-compliance with the deadlines of the planed repairs at the railway vehicles ;
- there are cases of non-compliance with due dates for planned repairs of railway vehicles;
- not all rolling stock is matriculated according to the Ministry of Transports, Constructions and Tourism's Order no. 1193/30.06.2004 for the approval of the norms concerning the matriculation and granting of the unified mark for the railway and subway vehicle identification.
- the railway undertakings purchased a series of railway critical products / services from suppliers authorized by AFER without meeting with the provisions of the Ministry of Transports Order no.290/2000 regarding the validity of the railway supplier authorizations or of the agreements / certifications for the railway technical homologation;
- there were found some cases of non-compliance with the provisions of the Ministry of Transports Order no. 290/2000 regarding the technical acceptance of the critical railway products, that is the branches of the railway undertakings do not have cumulatively valid railway supplier authorizations and railway technical agreements;
- One did not comply with the provisions of the Government Ordinance no. 60/2004 concerning the regulations on the construction, maintenance and operation of the tracks, other than those administered by CNCF "CFR" SA, that is they did not get all operation authorizations for industrial branches, detained and used by the railway undertakings.

2. Regarding the condition of sending all safety reports in accordance with Article 9 (4) of Safety Directive drawn up by infrastructure managers and railway undertakings, by the due date.

Through the Law no. 55/2006 on the railway safety, it was established an annual report before the 30th of June. The railway infrastructure manager, the non-interoperable railway infrastructure managers, the railway undertakings sent in due time these reports.

In 2011, Romanian Railway Safety Authority - ASFR planned by State Control and Inspection Monthly Programs and performed state inspections, consisting in the checking of some important specific activities, carried out by the economic company, concerning the traffic safety, transports security, public services quality in the railway field. The state inspections were carried out randomly and unannounced.

		Safety Certificates issued Part A	Safety Certificates issued Part B	Safety Authorizations issued	Other activities (to be mentioned)
3. Number of inspections for RUs/IMs in 2011	Planed	1040	1040	463	669- economic agents that supply critical services/products: keeps of industrial branches
	Performed	1040	1040	463	669 - economic agents that supply critical services/products: keeps of industrial branches
		Safety Certificates issued Part A	Safety Certificates issued Part B	Safety Certificates issued	Other activities (to be mentioned)
4. Audits number for RUs/IMs in 2011 (*)	Planed	0	0	0	0
	Performed	0	0	0	0

(*) Through the Ministry of Transports Order no. 884/2011 (Published in the Official Journal, Part I no. 823 of 22.11.2011) for the amendment of the Ministry of Transports no. 535/2007 concerning the *approval of the norms for granting railway transport licence and safety certificates, in order to perform railway transport services on Romanian railways*, one covered how to conduct audits of railway safety at the railway infrastructure administrator/managers and railway undertakings. Considering the entry into force of the Ministry of Transports Order no. 884/2011 provisions, the Romanian Railway Safety Authority - ASFR carries out traffic safety audit starting with 2012 and the first results of these audits will be highlighted in the ASFR report for 2012.

5. Concerning the brief presentation of the relevant measures / corrective actions (amendment, revocation, suspension, important notice, etc.) related to the safety issues that followed these audits / inspections.

To eliminate non-conformities found during state inspections and controls, the control teams in the Romanian Railway Safety Authority - ASFR have established measures to remove the nonconformities found and ordered that, for those cases where the facts can be classified as misconduct, to undertake disciplinary investigation and punishment of the guilty personnel.

Deficiencies that were established as contraventions, defined in this respect by the legislation in force, have been sanctioned. Sanctions were applied to natural or legal persons as appropriate.

Also, in case of non-compliance with the requirements necessary for the granting of the safety certificate part B, Romanian Railway Safety Authority - ASFR withdrew the certificate according to the chapter. V, art.11 of the *Norm for the granting of safety certificates*, annexed to the Ministry of Transports Order no. 535/2007.

6.7. Complaint from IMS about RUs on requirements of Parts A / B of their certificates.
None

H. Alternative measures through exemptions from ECM certification system (effective from 2013)

Entities in charge with the maintenance of the freight wagons are authorized at national level according to notified national regulations, that is the Ministry of Transport Order no. 290/2000.

Issued authorizations according to this order are equivalent to ERI certificates as it is stipulated in (EU) Regulation No. 445/2011, art. 12, paragraph 5, "certificates issued to the maintenance workshops up to the 31th of May 2014, based on national laws existing before the entry into force of the regulation and equivalent to the regulation and are recognized as equivalent to certificates for maintenance workshops that take over the function of maintenance, issued under the regulation for their initial validity period and up to May 31, 2017".

I. Conclusions of the reporting year - Priorities

During 2011, ASFR acted, in particular, for developing the regulatory framework for traffic safety by promoting a large number of railway specific regulations, issuing safety certificates and authorizations, surveillance by state inspection and controls of the railway infrastructure administrator / manager and of the railway undertakings.

From the analysis data concerning safety common indicators, compared to 2010, there was a decrease in the total number of significant accidents and the total number of people killed and injured.

For 2012, ASFR has established as priorities, the further harmonization of the regulatory framework for railway safety, including the system of safety national regulations, with the one adopted by the European Union, namely conducting surveillance activities in the railway infrastructure administrator / managers and rail undertakings, concerning compliance with the regulations in force, fulfilling the requirements that led to the granting of or amendment of safety certificates and compliance with conditions of issuing safety authorizations.

J. Sources of information

- safety reports of the public infrastructure administrator / managers and of the railway undertakings;
- reports of investigating accidents and incidents;
- European and National and legislation in the railway field;
- own sources: notes, reports, summaries, statistics.

K. Appendix

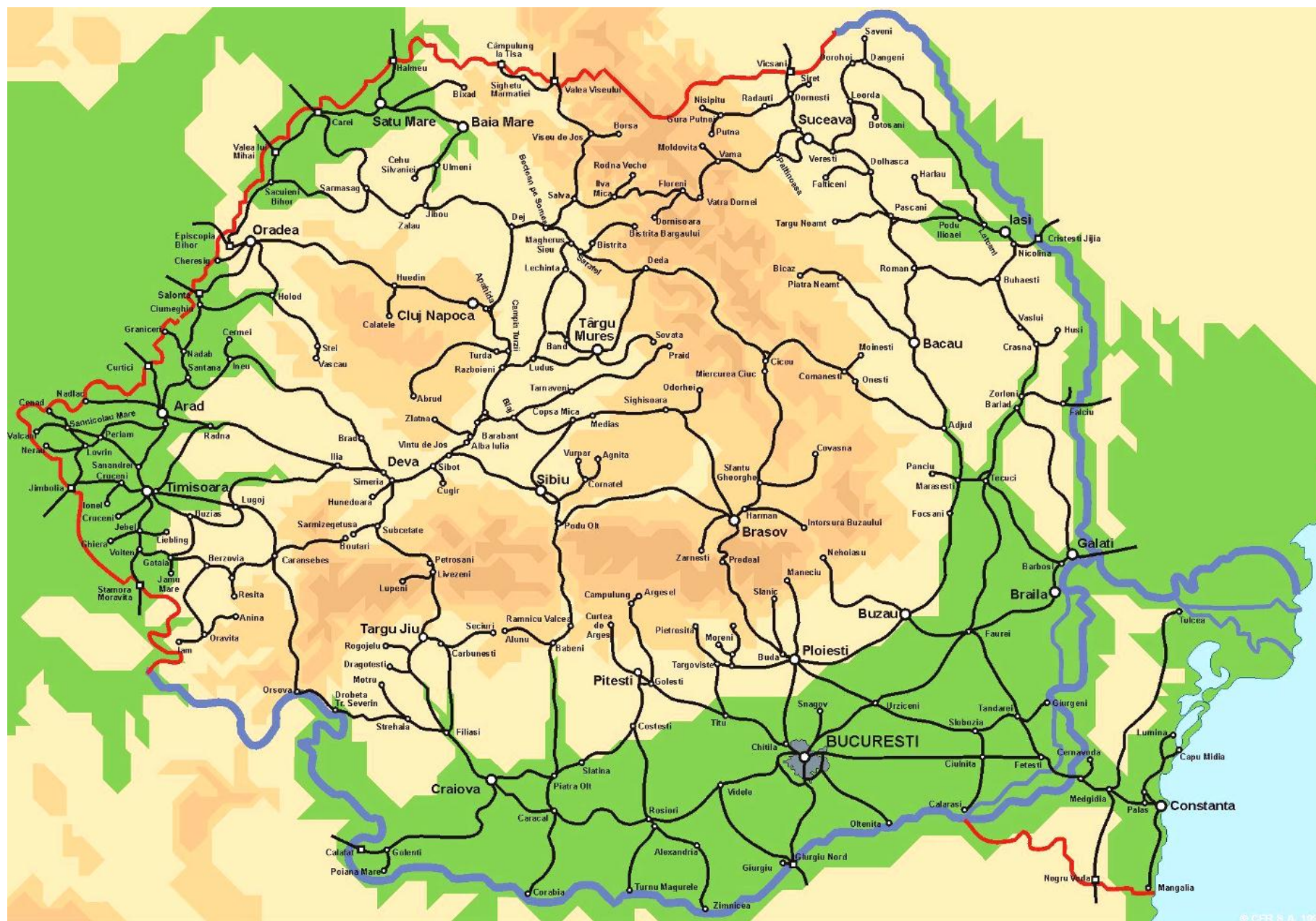
Romanian Railway Safety Authority - ASFR

Director

Vasile BELIBOU

ANEXA A.1

Harta rețelei feroviare din România



List of the railway infrastructure manager/administrators

Name	Address	Website/ Network Statement Link	Safety authorization (Number/Date)	Date of the trade activity starting	Entire Network Length / Gauge	Power supply network Length/ Voltage	Total Double/ Simple Length of the line	Total length of the line HSL	Equipment ATP used	Numbe r LC	Signals number
Railway infrastructure administrator											

NATIONAL COMPANY OF RAILWAYS "C.F.R." - S.A.	Bucharest, Bulevardul Dinicu Golescu, nr. 38, sector 1, cod 010873	http://www.cfr.ro	ASA09002 ASB11006	1998	20129 km /1435mm	4002 km / 25 KV	10.818 km - double tracks 2909 km - simple tracks 7771 km	HSL=0	INDUSI I-60 ETCS level 1	4433 from which SAT 903 BAT 1073	28 CE installations (electronic interlocking system) 611 CED installations (relay interlocking system) 64 CEM installations (electromechanical interlocking system) 354 installations without electromechanical interlocking system 577 BLA (automatic line block)
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The non-interoperable railway infrastructure managers (taken over trough rental from C.N.C.F. „CFR” S.A.)

S.C. RC – CF TRANS S.R.L.	BRAȘOV, Str. Carpaților, nr. 24, județul Brașov	http://www.rccf.ro	ASA08001 ASB11005	2004	1622 km/ 1.435 mm 32 sections	42,9 km/ 25 KV	0/1622	HSL=0	INDUSI	562	373
S.C. SERVTRANS INVEST S.A.	BUCUREȘTI, Șos. Nicolae Titulescu, nr. 48, sector 1	www.servtrans-invest.com	ASA08005 ASB09003	2004	64 km/ 1.435 mm 1 section	0	0/64	HSL=0	INDUSI	19	12

R.G. HOLZ COMPANY S.R.L.	VIȘEU DE SUS, Str. Mioriței, nr. 4, județul Maramureș	http://www.rgholz.com	ASA10005 ASB10010	2004	23 km. 1.435 mm 1 section	0	0/23	HSL=0	NO	NO	NO
S.C. VIA TERRA SPEDITION S.R.L.	CLUJ NAPOCA, Str. Anatole France, nr. 62, județul Cluj	http://www.viateraspedition.ro/en/viateraphp	ASA08007 ASB09005	2004	212 km. 1.435 mm 5 section	0	0/212	HSL=0	INDUSI	203	45
S.C. CONSTRUCȚII CĂI FERATE S.A.	SIBIU, Șos. Alba Iulia, nr. 55, bloc 7, ap. 1, județul Sibiu	http://www.ccf.ro	ASA11001 ASB11001	2009	16 km. 1.435 mm 2 sections	0	0/16	HSL=0	NO	10	NO
S.C. TRANSFEROVI AR GRUP S.A.	CLUJ-NAPOCA Str. Tudor Vladimirescu nr. 2-4, județul Cluj	http://www.transferoviar.ro/	ASA10001 ASB10009	2010	279 km. 1.435 mm 4 sections	0	0/279	HSL=0	INDUSI	121	157
S.C. APRIA S.R.L.	CLUJ-NAPOCA Str. Avram Iancu Nr.52 județul Cluj	NO	ASA10003 ASB10003	2010	85 km. 1.435 mm 1 section	0	0/ 85	HSL=0	NO	58	70
S.C. GRUP FEROVIAR ROMÂN S.A.	BUCUREȘTI Calea Victoriei, nr.114 ,Sector 1	http://www.gfr.ro/	ASA10004 ASB11004	2010	90 km. 1.435 mm 8 sections	0	0/90	HSL=0	INDUSI	24	405

S.C. FEROTRAFIC T.F.I. S.R. L.	IAȘI Str. Zugravi, 77B județul Iași	NO	ASA11002 ASB11002	2011	40km. 1.435 mm 1 sections	0	0/40	HSL=0	NO	NO	NO
S.C. VIROMET S.A.	VICTORIA Aleea Uzinei Nr. 8 Jud. Brașov	http://www.viromet.ro/www/index.php?page=index	ASA11003 ASB11003	2008	9 km. 1.435 mm 1 section	0	0/9	HSL=0	NO	NO	NO

List of the railway undertakings for whom were issued Safety Certificates according to the Directive 2004/49/CE

Name	Address	Website	Safety Certificate 2001/14/CE (Number/Date)	Safety Certificate A-B 2004/49/CE (Number/Date)	Date of the trade activity beginning	Traffic type (Freight...)	Number of locomotives	Motor coach trains number	Number of the passenger/freight wagons	Number of conductor/s/ safety personnel	Volume of transported passengers	Volume of transported freight
National Society of Railway Passenger Transport "CFR CĂLĂTORI" S.A.	B-dul Dinicu Golescu, nr. 38, sector 1, cod 010873, Bucuresti Fax: +4021.319.03.39	http://www.cfrcalatori.ro	-----	RO1120110025/09.11.2011 RO1220110196/21.11.2011	1998	Passengers	607	217	*	**	< 200 mil. cal. km. / an	NO
National Society of Railway Freight Transport „CFR MARFĂ” S.A.	B-dul Dinicu Golescu, nr. 38, sector 1, cod 010873 Bucuresti Tf: +40-21-225.11.12 Fax: +40-21-225.11.13	http://www.cfrmarfa.cfr.ro/	-----	RO1120110024/04.11.2011 RO1220110187/04.11.2011	1998	Freight	492	1	*	**	NO	≥ 500 mil. t km /an
S.C. SERVTRAN S INVEST S.A.	Str. Fabrica de Glucoză nr.11A, camera B01, sector 2, 020331 - București Tel: +4021-223.64.18 Fax: +4021-222.33.46	www.servtrans-invest.com/	-----	RO1120100011/10.03.2010 RO1220110174/10.11.2011	2002	Passengers Freight	71	0	*	**	< 200 mil. cal. km. / an	< 500 mil. t km /an

S.C. REGIOTRANS S.R.L.	Str. Oltului nr. 2, biroul 2, jud. Braşov 500283 - Braşov Tel: +40268-310.697 Fax: +40268-310.859	http://www.regiotrans.ro	-----	RO1120100005 12.02.2010 RO1220110214 12.12.2011	2005	Passengers	9	99	*	**	< 200 mil. cal. km. / an	NO
S.C. TRANSFER OVIAR CĂLĂTORI S.R.L.	Str. Tudor Vladimirescu, nr. 2-4, judeţul Cluj 400225 – Cluj Napoca Tel: +4021-310.43.77 Fax: +4021-310.43.88	http://www.transferoviarcalatori.ro/	-----	RO1120110010 01.05.2011 RO1220110143 30.08.2011	2011	Passengers	0	13	*	**	< 200 mil. cal. km. / an	NO
S.C. REGIONAL S.R.L.	Str. Fântânele nr.7, jud. Cluj 400463 - Cluj Napoca Tel/Fax: +40264-596.775	http://www.viaterraspeditio.ro/regional/regional.php	-----	RO1120110021 10.10.2011 RO1220110173 10.10.2011	2006	Passengers	0	13	*	**	< 200 mil. cal. km. / an	NO
S.C. DORI TRANS S.R.L.	Str. Ştefan cel Mare, bl. 4, ap. 20, jud. Neamţ 611039 - Roman Tel/Fax: +40233-74.48.60	http://www.doritrans.ro/	-----	RO1120110015 19.08.2011 RO1220110222 27.12.2011	2007	Freight	6	0	*	**	< 200 mil. cal. km. / an	< 500 mil. t km /an
S.C. GRUP TRANSPORT FERROVIAR S.A.	Str. Copşa Mică nr.40, sector 1 014619 - Bucureşti Tel: +40244-57.43.95 Fax: +40244-57.66.20	http://www.grupfb.ro/	-----	RO1120110017 15.09.2011 RO1220110197 21.11.2011	2009	Freight	15	0	*	**	NO	< 500 mil. t km /an

S.C. ROMÂNIA EUROEST S.A.	Str. Justiției nr.20, jud. Constanța 900226 - Constanța Tf: +40241-545.491 Fax: +40241-551.475	http://www.romaniaeuroest.com	-----	RO1120110016 14.09.2011 RO1220110204 02.12.2011	2003	Freight	9	0	*	**	NO	< 500 mil. t km /an
S.C. VIA TERRA SPEDITION S.R.L.	Str. Anatole France nr.62, jud.Cluj 400463 - Cluj Napoca Tel/Fax: +40264-596.775	http://www.viateraspeditio.ro	-----	RO1120110018 21.09.2011 RO1220110209 08.12.2011 RO1220110210 08.12.2011	2003	Freight	6	0	*	**	NO	< 500 mil. t km /an
S.C. CARGO TRANS VAGON S.A.	Str. Vaselor, nr. 34, sector 2 021254 – București Tf: +4021-212.33.57 Fax: +4021-211.97.74	NO	-----	RO1120110019 28.09.2011 RO1220110221 20.12.2011	2004	Freight	22	0	*	**	NO	< 500 mil. t km /an
S.C. TRANS EXPEDITIO N FERROVIAR S.R.L.	Str. Fabrica de Glucoza nr.11A, Etaj 2, Sector 2, Bucuresti, Cod postal 020331 Tel: 031.405.29.25 Fax: 031.405.29.26	http://www.tef.com.ro/	-----	RO1120110020 07.10.2011 RO1220110181 25.10.2011	2005	Freight	8	0	*	**	NO	< 500 mil. t km /an

S.C. TRANSFER OVIAR GRUP S.A.	Str. Tudor Vladimirescu nr.2-4, jud.Cluj 400225 - Cluj Tel: +40264-454.420 Fax: +40264-403.101	http://www.transferoviar.ro/	-----	RO1120110022 26.10.2011 RO1220110205 02.12.2011	2003	Freight	26	0	*	**	NO	< 500 mil. t km /an
S.C. CONSTANTIN GRUP S.A.	Str. Apele Vii nr.2B, bloc 31, sc.3, ap.24, sector 6 062323 - București Tel: +4021-434.68.08 Fax: +4021-434.15.43	www.locomotive.ro/	-----	RO1120100004 27.01.2010 RO1220110201 25.11.2011	2005	Freight	9	0	*	**	NO	< 500 mil. t km /an
S.C. TRANSBLU E S.R.L.	Str. Pictor Barbu Iscovescu nr. 13, et. 3, ap. 2, sector 1, 011935 - București Tel: +4021-231.81.27 Fax: +4021-231.77.05	NO	-----	RO1120110014 17.08.2011 RO1220110218 15.12.2011	2006	Freight	4	0	*	**	NO	< 500 mil. t km /an
S.C.GRUP FERROVIAR ROMÂN S.A.	Calea Victoriei nr. 114, sector 1, 010092 - București Tel : +4021-318.30.90 Fax: +4021-318.30.91	http://www.gfr.ro/	-----	RO1120100014 06.04.2010 RO1220110224 27.12.2011	2002	Freight	224	0	*	**	NO	< 500 mil. t km /an

S.C.UNIFER TRANS S.A.	Str. Câmpul Pipera, nr. 125/9 , jud. Ilfov 077191- Voluntari Tel/Fax: +4021- 232.98.87	http://www.unicom-group.ro/unifer/	-----	RO1120100016 21.04.2010 RO1220110167 28.09.2011	2005	Freight	40	0	*	**	NO	< 500 mil. t km /an
S.C. SOFTRANS S.R.L.	Calea Severinului nr.40, județul Dolj 200609 - Craiova Tel: +40351- 40.91.51 Fax: +4021- 319.67.42	NO	-----	RO1120100019 17.05.2010 RO1220110158 14.09.2011	2004	Freight	5	0	*	**	NO	< 500 mil. t km /an
S.C. RAIL CARGO ROMÂNIA S.R.L.	Șos. Odăii nr. 62-68, jud. Ilfov, 075100 – Otopeni Tel: +4021- 350.37.62 Fax: +40372.871.7 48	http://www.railcargo.at/en/About us/RC A_group/Rail Cargo Romania/index.jsp	-----	RO1120100021 16.06.2010 RO1220110208 07.12.2011	2010	Freight	17	0	*	**	NO	< 500 mil. t km /an
S.C. PORR RAILWAY TRANSPORT S.R.L.	B-dul Dimitrie Pompeiu, nr. 6E, Et.8, camera 8, sector 2 020335 – București Tel: +4021- 312.65.00 Fax: +4021- 312.65.01	NO	-----	RO1120100023 30.06.2010 RO1220100099 30.06.2010	2010	Freight	2	0	*	**	NO	< 500 mil. t km /an

S.C. VEST TRANS RAIL S.R.L.	Str. Moș Ion Roată nr. 42, județul Prahova 100376 – Ploiești Tel: +40372- 797.900 Fax: +40244- 522.112	http://www.vesttransrail.ro/	-----	RO1120110013 16.08.2011 RO1220110223 27.12.2011	2010	Freight	19	0	*	**	NO	< 500 mil. t km /an
S.C. RAIL FORCE S.R.L.	Adresa: Str. Oltului nr.2,bir.9, județul Brașov 500283 – Brașov Tel: +40268- 310.697 Fax: +40268- 310.859	http://www.railforce.ro/	-----	RO1120110028 29.12.2011 RO1220110225 29.12.2011	2009	Freight	8	0	*	**	NO	< 500 mil. t km /an
S.C. ELECTRO COMP S.R.L.	B-dul Chimiei nr.14 , jud. Iași 700293 - Iași Tel:+40232- 23.62.78 Fax:+40232- 23.60.61	NU	-----	RO1120110026 18.11.2011 RO1220110194 18.11.2011 RO1220110195 18.11.2011	2011	Freight	9	0	*	**	NO	< 500 mil. t km /an
S.C. CAPTRAIN ROMÂNIA S.R.L.	Str. Poet Panait Cerna, nr. 7, bloc M,44, scara 1, parter, ap. 2,sector 3, 030993 – București Tel/Fax: +4021- 320.51.81	http://www.captrain.ro/?c=contact	-----	RO1120110006 01.04.2011 RO1220110063 01.04.2011 RO1220110064 01.04.2011 RO1220110117 22.07.2011	2011	Freight	4	0	*	**	NO	< 500 mil. t km /an

DB SCHENKER RAIL ROMANIA S.R.L.	Str. Dr. Grigore T. Popa, nr.81, etaj 7, ap. 15, judetul Timiș 300291 - Timișoara Tel: +40256- 30.60.73 Fax: +40256- 30.60.74	http://www.ra il.dbschenker. de/rail- deutschland- en/start/comp any/rail grou p/2303116/ro mania.html	-----	RO1120110011 30.05.2011 RO1220110217 14.12.2011	2008	Freight	34	0	*	**	NO	< 500 mil. t km /an
S.C. REMAT S.A.	Str. Varianta Nord 1, jud. Călărași 910053 - Călărași Tel: +40242- 33.18.21 Fax: +40242- 32.15.41	NO	-----	RO1120110023 04.11.2011 RO1220110186 04.11.2011	2007	Shunting	2	0	*	**	NO	< 500 mil. t km /an
S.C. CEFMUR S.A.	Str. Gheorghe Doja nr.60, ap.3, jud. Mureș 540147 – Tg. Mureș Tel/Fax: +40265- 250.711	NO	-----	RO1120110027 16.12.2011 RO1220110219 16.12.2011	2007	Shunting	1	0	*	**	NO	< 500 mil. t km /an
S.C. CONPET S.A.	Anul 1848 nr.1-3, jud. Prahova 100559 - Ploiești Tel:+40244- 40.13.60 Fax:+40244- 57.59.95	http://www.c onpet.ro/	-----	RO1120100007 25.02.2010 RO1220110036 24.02.2011 RO1220110037 24.02.2011	2008	Shunting	2	0	*	**	NO	< 500 mil. t km /an

S.C. TRADE TRANS RAILLOGIS TICS S.R.L.	Șoseaua Curtici- Dorobanți, nr. FN, DJ 792, KM 3,1, jud. Arad 315200 – Curtici Tel: +40357- 100.148 Fax: +40357- 100.149	<a href="http://www.ra
illogistics.ro/
contactsro.ht
ml">http://www.ra illogistics.ro/ contactsro.ht ml	-----	RO1120100031 01.11.2010 RO1220110215 12.12.2011	2008	Shunting	2	0	*	**	NO	< 500 mil. t km /an
S.C. VIA TERRA TRANS S.R.L.	Str. Cosașilor, nr. 3-7, jud. Cluj, 400463 – Cluj Napoca Tel: +40264- 44.24.84; Fax: +40264- 59.67.75	<a href="http://www.vi
aterraspeditio
n.ro/en/viater
ra.php">http://www.vi aterraspeditio n.ro/en/viater ra.php	-----	RO1120100018 17.05.2010 RO1220110113 14.07.2011	2008	Shunting	3	0	*	**	NO	< 500 mil. t km /an
S.C. REMAT BUCUREȘTI SUD S.A.	Sos. Berceni Fort nr.5, sector 4, 041901 - București Tel: +4021- 334.56.68 Fax: 021- 334.52.94	<a href="http://www.re
matholding.ro
/ro/filiale_buc
uresti">http://www.re matholding.ro /ro/filiale_buc uresti	-----	RO1120100033 12.12.2010 RO1220110216 13.12.2011	2008	Shunting	1	0	*	**	NO	< 500 mil. t km /an
S.C. MECANO SERV S.R.L.	Str. Sabin Drăgoi, Bl 12, sc.1, etaj 1, ap.5, jud. Hunedoara 330065 - Deva Tel:+40- 0740.018.949 Fax:+40254- 21.89.63	NO	-----	RO1120100022 25.06.2010 RO1220110105 24.06.2011	2008	Shunting	1	0	*	**	NO	< 500 mil. t km /an

S.C. COMPLEXUL ENERGETIC CRAIOVA S.A. - UZINA DE REPARAȚII CRAIOVA	Str. Mihai Viteazul nr.101, jud. Dolj 207340 - Ișalnița Tel: +40251-40.76.00 Fax :+40351-40.98.06	NO	-----	RO1120110012 26.07.2011 RO1220110122 26.07.2011 RO1220110123 26.07.2011	2008	Shunting	8	0	*	**	NO	< 500 mil. t km /an
S.C. OIL TERMINAL S.A.	Str.Caraiman nr.2, jud. Constanța 900117 – Constanța Tel:+40241-70.26.00 Fax:+40241-69.48.33	http://www.oil-terminal.com/	-----	RO1120100034 13.12.2010 RO1220110212 09.12.2011 RO1220110211 09.12.2011	2008	Shunting	6	0	*	**	NO	< 500 mil. t km /an
S.C. UNICOM TRANZIT S.A.	Str. Câmpul Pipera nr.125/9, etaj 2, județul Ilfov 077190 – Voluntari Tel: +4021-232.99.48 Fax: +4021-232.99.49	http://www.unicom-group.ro/tranzit/	-----	RO1120100026 05.08.2010 RO1220110130 05.08.2011 RO1220110131 05.08.2011 RO1220110132 05.08.2011	2006	Shunting	7	0	*	**	NO	< 500 mil. t km /an
S.C. R.G. HOLZ COMPANY S.R.L.	Str. Mioriței nr.4, Vișeu de Sus, jud.Maramureș 435700-Vișeu de Sus Tel: +40262-353100 Fax: +40262-352034	http://www.rgholz.com/	-----	RO1120100030 20.10.2010 RO1220110178 20.10.2011	2008	Shunting	2	0	*	**	NO	< 500 mil. t km /an

S.C. MINPREST SERV S.A.	Cartier Vârt, nr. 97, jud. Gorj 215400 – Rovinari Tel:+40253-371.513 Fax:+40253-371.514	NO	-----	RO1120110008 19.04.2011 RO1220110078 19.04.2011	2008	Shunting	1	0	*	**	NO	< 500 mil. t km /an
S.C. TMK - REȘIȚA S.A.	Str.Traian Lalescu nr.36, jud.Caraș - Severin 320050 - Reșița Tel/Fax: +40255-21.18.83	http://www.arterom.ro/resita_profile.php	-----	RO1120100015 07.04.2010 RO1220110075 13.04.2011	2008	Shunting	3	0	*	**	NO	< 500 mil. t km /an
S.C. MECHEL TÂRGOVIȘTE S.A.	Str. Găești nr.9-11, jud. Dâmbovița 130087 - Târgoviște Tel: +40245-630.439 Fax: +40245-616.681	http://www.mechel-tgv.ro/	-----	RO1120100001 07.01.2010 RO1220110005 14.01.2011	2008	Shunting	1	0	*	**	NO	< 500 mil. t km /an
S.C. ASICAR S.R.L.	Str. General Dragalina nr.14, bloc D-17, ap.2, jud. Sălaj 415075 – Zalău Tel/Fax: +40260-66.20.66	NO	-----	RO1120100010 10.03.2010 RO1220110045 07.03.2011 RO1220110046 07.03.2011	2008	Shunting	3	0	*	**	NO	< 500 mil. t km /an
S.C. UZINELE SODICE GOVORA – CIECH CHEMICAL GROUP S.A.	240050 RAMNICU VALCEA, Str. Uzinei nr. 2, Judetul Valcea, Tel: +40250-73.18.52 Fax: +40250-73.33.82	www.usg.ro	-----	RO1120110001 14.01.2011 RO1220110009 14.01.2011	2009	Shunting	1	0	*	**	NO	< 500 mil. t km /an

S.C. FSR RAILSERVI CE S.R.L.	Str. Mihail Kogălniceanu nr.59, jud. Alba 510090 - Sebeș Tel/Fax: +40258- 80.11.00	NO	-----	RO1120110002 25.01.2011 RO1220110011 25.01.2011	2009	Shunting	2	0	*	**	NO	< 500 mil. t km /an
S.C. RAIL OPERATION S S.R.L.	Str. Plaiul Muntelui nr.46B, Tronson I, Et.1, camera 2, sector 1 012864- București Tel: +4021- 323.88.67 Fax: +4021- 327.08.50	NO	-----	RO1120110009 21.04.2011 RO1220110080 21.04.2011	2009	Shunting	1	0	*	**	NO	< 500 mil. t km /an
S.C. SERVTRAN S MENTENAN CE S.A.	Str. Valter Mărăcineanu nr. 28, Mun. Caracal Jud. Olt Tel: +40374- 200.216 Fax: +40374- 200.215	NO	-----	RO1120100028 30.08.2010 RO1220110175 17.10.2011	2009	Shunting	1	0	*	**	NO	< 500 mil. t km /an
S.C. COMPANIA DE PRODUCȚIE FEROVIAR Ă S.R.L.	Șos. Brăilei nr. 2, corp 34, jud. Buzău 120118- Buzău Tel: +40238- 72.09.57 Fax: +40238- 72.09.56	NO	-----	RO1120110005 04.03.2011 RO1220110044 04.03.2011	2011	Shunting	1	0	*	**	NO	< 500 mil. t km /an

S.C. U.C.M. REȘIȚA S.A.	P-ța Montreal nr.10, Clădirea World Trade Center, intrarea F, etaj 1, biroul nr. 1, sector1 011469 – București Tel: +40255- 21.71.11 fax:+40255- 22.30.82	http://www.u cmr.ro/	-----	RO1120110007 05.04.2011 RO1220110069 05.04.2011	2008	Shunting	1	0	*	**	NO	< 500 mil. t km /an
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NOTE : * According to the legislation in force, these data aren't requested when granting the safety certificate and aren't found in ASFR database.

** According to the legislation in force, these data aren't found in ASFR database.

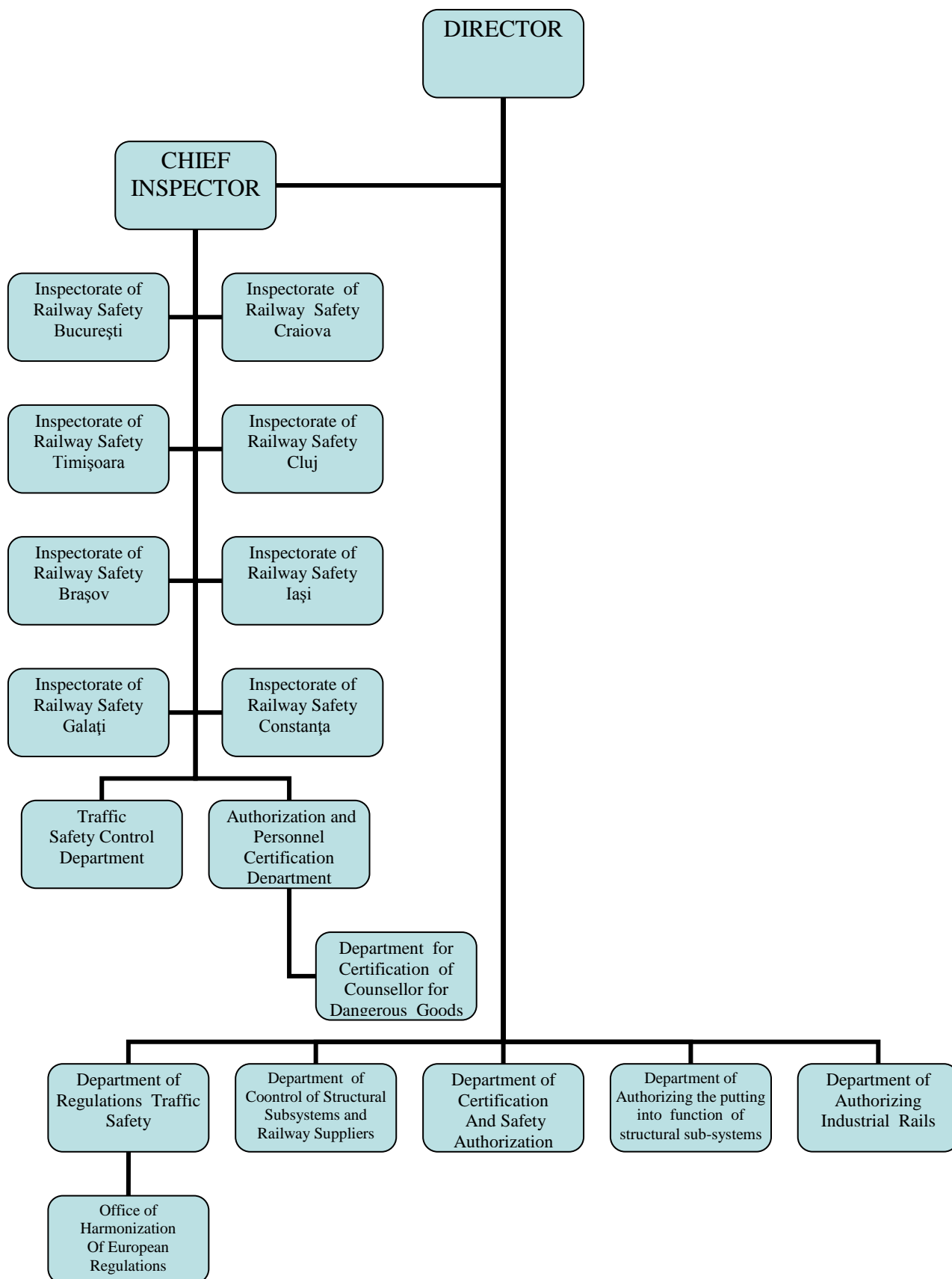
Abbreviations:

HSL = High Speed Line (definition according to Directive 2008/75/EC) /7/

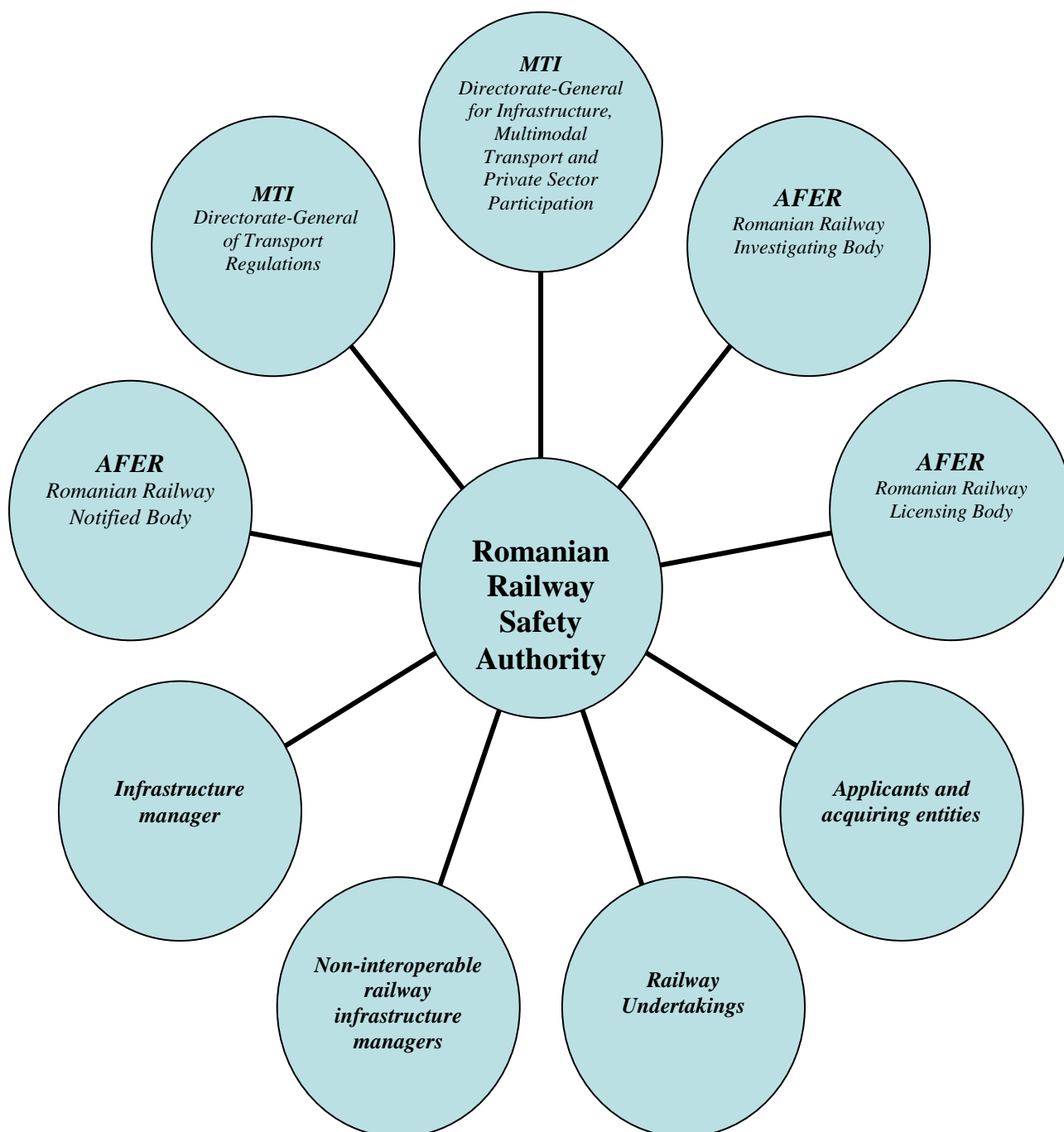
ATP = Automatic Train Protection

LC = Level Crossing

Romanian Railway Safety Authority organizing chart



Organizational flow of the activities performed by Romanian Railway Safety Authority



Abbreviations:

MTI – Minister of Transports and Infrastructure

AFER – Romanian Railway Authority

The important changes in the legislation and the specific railway regulations

General National Railway Safety Legislation	<p>Law no. 65/10.05.2011 <i>for the amendment of the Law no. 55/2006 on the railway safety</i></p> <ul style="list-style-type: none"> - application date: the 19th of May 2011 - reason: transposing of the Directive 2008110/EC in Romanian legislation
Legislation about the National Safety Authority	
Legislation about the notified bodies, controllers, third parts bodies for registering, testing etc	
National rules about the traffic safety	<p>1. Ministry of Transports and Infrastructure Order no. 153/03.03.2011 on the <i>Amendment of the Regulations for the train running and the railway vehicle shunting – no. 005, approved by the Ministry of Transports, Construction and Tourism no. 1816/2005 and for the defining of the passenger train classes, according to the services offered by the railway passenger undertakings.</i></p> <ul style="list-style-type: none"> - application date: the 11th of December 2011 - reason: <p>A. Change of the train classes operated by SNTFC “CFR Calatori” SA, established in the contract for public services between 2008 and 2011 of SNTFC “CFR Calatori” SA, concluded with the Ministry of Transports and Infrastructure.</p> <p>B. Provisions and terms used for the passenger transports, stipulated in the community legislation, approved by the Directive 91/440/EEC, as well as by the directives and regulations from the railway legislation groups 1,2,3 (priority Regulation 1371/CE/2007”Rights and obligations of the passengers”), there was necessary that the present structure of trains (slow trains, fast trains, express trains, intercity trains) be replaced with a new structure, adopting the</p>

	terms defined clearly for the railway services and used in all European legislation, that is intercity trains, inter-regional trains, regional trains
Rules about the safety objectives and national methods	
Rules about the requirements for the safety management systems and the safety certification of the railway undertakings	<p>1. Ministry of Transports and Infrastructure Order no. 884/03.11.2011 for the amendment of the Ministry of Transports Order no. 535/2007 for the <i>approval of the norms for the granting of the railway transport licences and of the safety certificates for the performance of railway transports on Romanian railways.</i></p> <ul style="list-style-type: none"> - application date: the 22nd of December 2011 - reason: <p>I. Updating of the provisions of this legal paper, following the amendment of the Law no. 55/2006 on the railway safety, through the Government Decision no. 644/2010, that transposes the Directive 2009/149/EC of the Commission from the 27th of November 2009 for the change of the Directive 2004/49/EC of European Parliament and Council on the common safety indicators and the common methods for the calculation of the accident costs and through the Law no. 65/2011, that transposes the provisions of the Directive 2008/110/EC of European Parliament and Council from the 16th of December 2008 for the change of the Directive 2004/49/EC;</p> <p>II. <i>Establishment of the legal framework for the implementation of:</i></p> <ul style="list-style-type: none"> a. <i>Regulation (CE) no. 352/2009 of the Commission from the 24th of April 2009, for the adoption of a common safety method for the assessment of the risk, stipulated at the art. 6, paragraph (3), letter (a) of the Directive 2004/49/EC of European Parliament and Council.</i> b. <i>Regulation (EU) no. 1158/2010 of the Commission from the 9th of December 2010 on the common safety method for the</i>

	<p><i>assessment of the conformity with the requirements for the granting of the railway safety certificates;</i></p> <p><i>c. Regulation (EU) no. 445/2011 of the Commission from the 10th of May 2011 concerning a system for the certification of the entities in charge with the maintenance of the wagons and for the change of the Regulation (EC) no. 653/2007 concerning the use of a common European type for the safety certificates and the applications in accordance with the art. 10 of the Directive 2004/49/EC of European Parliament and Council and the validity of the safety certificates stipulated by the Directive 2001/14/EC of European Parliament and Council.</i></p> <p>III. Inclusion of the freight and passenger transports and of the railway shunting in revised CAEN codes, stipulated in the national legislation;</p> <p>IV. Change of the validity of the safety certificate granted for first time to an undertaking, for its effective monitoring in the first activity year and the supplement of the requirements for the granting of the safety certificate, part B, resulted from the application up to now of the Ministry of Transports no. 535/2007;</p> <p>V. Supplement of the cases of exclusion from the application of the order provisions with those stipulated at the art. 2, paragraph (2), letters d) and e) from the Law no. 55/2006, with the further amendments.</p> <p>2. Ministry of Transports and Infrastructure Order no. 925/14.11.2011 for the <i>amendment of the Ministry of Public Works, Transports and Lodgings on the performance of braking tests and running of the motorized train DESIRO.</i></p> <p>- application date: the 22nd of December 2011</p> <p>- reason: control operation, performed by the conductor, of the train consisting in motorized trains endowed with on-board computers (type DESRO), this conductor having to be authorized</p>
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	for the operation of the motorized train traffic safety equipments, for their keeping stopped and/order in the train running with one man driving.
Rules about the requirements for the safety management systems and the safety authorization of the infrastructure managers	<ol style="list-style-type: none"> 1. Ministry of Transports and Infrastructure Order 135/24.02.2011 concerning the <i>Supplement of the art. 28 of the Instruction of norms and tolerances for the construction and maintenance of track – no. 314, approved by Order of Minister of Transports and Telecommunications Deputy no. 89/1989</i> <ul style="list-style-type: none"> - application date : the 24th of February 2011 - reason: supplement of the art. 28 for the rehabilitation/modernization/repair of tracks. 2. Ministry of Transports and Infrastructure Order no. 586/05.08.2011 for the <i>approval of the Operation regulation for train running between Voislova – Boutari – Voislova.</i> <ul style="list-style-type: none"> - application date : the 5th of September 2010 -reason: establishment of the Operation regulation for the train running between Voislova – Boutari - Voislova
Rules concerning the requirements for wagon keepers	
Rules concerning the requirements for entities in charge with the maintenance	
Rules concerning the requirements for the maintenance workshops	<ol style="list-style-type: none"> 1. Ministry of Transports and Infrastructure Order no. 315/2011 for the <i>approval of the railway technical norms “Railway vehicles. Revision types and planed repairs. Mile age and time norms for revisions and planed repairs ”.</i> <ul style="list-style-type: none"> - application date: the 15th of June 2011 - reason: establishment of the planned revision types and repairs for the railway vehicles, sequence of their performance, time norms (days, months, years) or km norms run by the railway vehicles are withdrawn from service

	for the performance of the planned revisions and repairs.
National safety rules for the railway undertakings and the national safety rules for other railway actors	
Rules concerning the requirements for the authorization of the putting into service and the maintenance of the new rolling stock and of the significant deteriorated rolling stock, including rules for the exchange of the rolling stock between the railway undertakings, the registering systems and the necessary requirements for the testing procedures	
General rules for the operation of the railway network, including rules for the signaling and traffic procedures	

Rules that indicate the requirements for the internal additional rules for operation (the company rules) that have to be established by the infrastructure managers and by the railway undertakings	-
Rules about the requirements for the staff that performs safety critical tasks, including selection criterion, medical gymnastic, instruction and professional certification	<p>Ministry of Transports and Infrastructure Order no. 82/31.01.2011 <i>for the change of the annex no. 1 of the Ministry of Transports and Infrastructure no. 815/11.10.2010 for the approval of the Norms on the implementation and development of the system for keeping of the professional competences of the staff with responsibilities in traffic safety and for other staff categories that carry out specific activities in the transports on Romanian railways and for updating the List of functions with responsibilities in traffic safety, that trained/qualified, improve and test from professional point of view at CENAFER</i></p> <ul style="list-style-type: none"> - application date: the 16th of February 2011 - reason: the legal project contains amendments at some articles from the Ministry of Transports and Infrastructure no. 815/12.10.2010, being based on the requests of the Railway Unions on: <ul style="list-style-type: none"> - improvement of the professional competences at the certification body; - some conditions for the casual stop of the validity of the documents concerning the getting of the specific practical skills; - periodical confirmation of the professional competences; - right of the staff with responsibilities in traffic safety to a copy of the document that certifies the result of the periodical examination; - the training conditions for drivers and driver's assistants.

	<p>1. Ministry of Transports and Infrastructure no. 79/28.01.2011 concerning the <i>Establishment of some additional railway safety measures for the public railway infrastructure administrator, non-interoperable railway infrastructure managers, railway undertakings and economic companies – railway suppliers – authorized to perform construction, modernization, maintenance and repair at the railway infrastructure, that get and use of self-propelled railcars, railway machines or other similar those.</i></p> <p>- application date: the 2nd of February 2011</p> <p>- reason: because between October 2009 and November 2010 a series of serious railway accidents and railway incidents happened on Romanian railways, as well as the repeatability of the human mistakes that generate their occurrence, in order to prevent the appearance of other human mistakes in the operation, it was necessary to take some railway safety measures , as follows:</p> <p>A. An additional professional test of the knowledge of Romanian railway staff, belonging to the railway infrastructure administrator/managers, railway undertakings and economic companies – railway suppliers – authorized to perform construction, modernization, maintenance and repair of the railway infrastructure, getting and using self/propelled rail cars, railway machines or other similar machines, as follows:</p> <p>- for the staff with responsibilities in the traffic safety that carry out organization, management of railway transport/railway shunting and traffic safety – an additional test performed by CENAFER;</p> <p>- for the specialized staff of the economic companies, above mentioned, in charge with training, improvement and that takes part in the commissions for the authorization of the staff with responsibilities in traffic safety, certified by AFER, according to the art. 15 of the Regulation for the railway technical operation no. 002/2011, approved by Ministry of Public Works, Transports and Lodgings Order no. 1186/2001 – an additional test made by Romanian Railway Authority - Romanian Railway Safety Authority.</p>
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	<p>It is underlined that these additional activities shall be carried out by CENAFER and AFER, free of charge, without supposing additional costs for the involved economic companies.</p> <p>B. Performance of a state inspection by Romanian Railway Safety Authority – ASFR, by its inspectorates concerning:</p> <ul style="list-style-type: none"> - compliance with the way of running and driving of machines and vehicles for the construction, modernization, maintenance and repair of track and high line; - compliance with the provisions of the Ministry of Public Works, Transports and Lodgings Order no. 447/2003 for the <i>approval of the instructions for the medical and psychological examination of the transport staff with responsibilities in traffic safety and navigation, as well as the organization, functioning and structure of the medical and psychological commissions for traffic safety</i>, according to the art. 13 from the annex no. 1 of this order, for drivers of locomotives/heavy track machines, drivers of tower wagon, rail car drivers, track machines or similar those.
Rules concerning the accident and incidents investigation including the suggestion	
Rules concerning the national safety indicators including the gathering and the analysis of the indicators	
Rules concerning the requirements	Ministry of Transports and Infrastructure Order no. 443/15.06.2012 for <i>the approval of the Norms to authorize the putting into service of the new built or</i>

necessary to authorize the putting into service of the infrastructure (tracks, bridges, power supply, ATC, radio, signaling, level crossing, persons, etc.)	<i>modernized industrial branches.</i> - application date: the 29 th of July 2011 - reason: drawn up in accordance with the provisions of art. 9, paragraph (5) from the annex of the Government Decision no. 2299/2004 for <i>the approval of the methodological norms for the application of the provisions of the Government Ordinance no. 60/2004, concerning the regulations for the construction, maintenance, repair and operation of tracks, other than those administrated by CNCF “CFR”SA</i> , for the keepers of new built or modernized industrial branches, for the authorization of their putting into service
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The development of safety certification and authorisation - Numerical data

E.1. Safety Certificates according to Directive 2004/49/CE

A. To ensure the information on ERADIS is current in place, please supply numbers of existing certificates in ERADIS which were valid at the end of the reporting year		Total number of certificates	Number of certificates Part A in ERADIS	
B. Please ensure that the information provided in this table is in line with the information provided in section ‘G. Supervision of Railway Undertakings and Infrastructure Managers ‘				
E.1.1. Number of safety certificates Part A issued in the reporting and in previous years and remain valid at the end of year 2011		46	46	

C. To ensure the information on ERADIS is current in place, please supply numbers of existing certificates in ERADIS which were valid at the end of the reporting year		Total number of certificates	Number of certificates Part B in ERADIS	
D. Please ensure that the information provided in this table is in line with the information provided in section ‘G. Supervision of Railway Undertakings and Infrastructure Managers ‘				
E.1.2. Number of safety certificates Part B issued in the reporting and in previous years by your member state and remain valid in the year 2011	Number of certificates Part B, for which the Part A has been issued in your Member-State	226	226	
	Number of certificates Part B, for which the part A has been issued in another Member-State	0	0	

Please provide input on applications for certificates Part A received in the current reporting year for new certificates or existing certificates which need to be renewed or updated/amended			A	R	P
E.1.3. Number of new applications for Safety Certificates Part A submitted by Railway Undertakings in year 2011	28	New certificates	6	0	0
		Updated/amended certificates	6	0	0
		Renewed certificates	16	0	0

Please provide input on applications for certificates Part B received in the current reporting year for new certificates or existing certificates which need to be renewed or updated/amended			A	R	P
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E.1.4. Number of new applications for Safety Certificates Part B submitted by Railway Undertakings in year 2011	Where the Part A has been issued in your Member-State	New certificates	10	0	0
		Updated/amended certificates	168	0	0
		renewed certificates	47	0	0
	Where the Part A has been issued in another Member-State	New certificates	0	0	0
		Updated/amended certificates	0	0	0
		Renewed certificates	0	0	0

A = Accepted application, certificate is already issued

R = Rejected applications, no certificate was issued

P = Case is still pending, no certificate was issued so far

To ensure the information on ERADIS is current in place, please supply numbers of certificates in ERADIS revoked at the end of the reporting year	Total number of revoked certificates in the year 2011	Number of revoked certificates in ERADIS (which were revoked in 2011)
E 1.5 Number of certificates Part A revoked in the current reporting year	6	6
E 1.6 Number of certificates Part B revoked in the current reporting year	168	168

E.1.7. List of countries where RUs applying for a Safety Certificate Part B in your Member-State have obtained their Safety Certificate Part A

Name of RU	Member-State where Safety Certificate Part A was issued
nu	Nu e cazul

E.2. Safety Authorisations according to Directive 2004/49/EC

Please ensure that the information provided in this table is in line with the information provided in section ‘‘G. Supervision of Railway Undertakings and Infrastructure Managers’’	Total number of safety authorisations		
E.2.1. Number of valid Safety Authorisations issued to Infrastructure Managers in the reporting year and in previous years and remain valid at the end of the year 2011	11		

Guidance:			
Please provide input on applications for Safety Authorisations received in the	A	R	P

current reporting year for new authorisations or existing authorisations which need to be renewed or updated/amended				
E.2.2. Number of applications for Safety Authorisations submitted by Infrastructure Managers in year 2011	New authorisations	1	0	0
	Updated/amended authorisations	3	0	0
	Renewed authorisations	2	0	0

A = Accepted application, authorisation is already issued

R = Rejected applications, no authorisation was issued

P = Case is still pending, no authorisation was issued so far

E 2.3 Number of Safety Authorisations revoked in the current reporting year	7
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E.3. Procedural aspects – Safety Certificates part A

		New	Updated /amended	Renewed
The average time after receiving of the application with the required information and the final delivery of a Safety Certificate Part A in year 2011 for Railway Undertakings				
		10 zile	10 zile	10 zile

E.4. Procedural aspects – Safety Certificates part B

		New	Updated /amended	Renewed
The average time after receiving the application with the required information and the final delivery of a Safety Certificate Part B in year 2011 for RUs	Where the part A has been issued in your Member-State	10 zile	10 zile	10 zile
	Where the part B has been issued in another Member-State	nu	nu	nu

E.5. Procedural aspects – Safety Authorisations

		New	Updated /amended	Renewed
The average time after receiving the application with the required information and the final delivery of a Safety Authorisation in year 2011 for IMs				
		10 zile	10 zile	10 zile