



MINISTRY OF TRANSPORTS
ROMANIAN RAILWAY AUTHORITY – AFER
ROMANIAN RAILWAY SAFETY AUTHORITY



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The Annual Report of the Romanian Railway Safety Authority -2008-

A. Introductory chapter

A 1. The report's object.

Romanian Railway Safety Authority draws up the present annual report in order to be published in AFER Journal and on its site, part of the AFER site, as well as in order to be sent to the European Railway Agency, according to the art. 18 from the Law no. 55/2006 concerning the railway safety, that transposes into the Romanian legislation the provisions of the Directive 2004/49/EC

The objects of this report are:

- To present the regulation framework, through which the Directive 2004/49/EC was transposed into the national legislation;
- To present the Romanian Railway Network structure, according to the data supplied by the Romanian Railway Company “CFR” S.A
- To present the relationships of the Romanian Railway Safety Authority with other bodies from the Romanian railway field;
- To present the qualitative and quantitative indicators of the railway accidents and incidents;
- To present the licensed railway undertakings according to the provisions of the Directive 2001/14/CE and of the Directive 2004/49/EC and the railway infrastructure administrators/managers;
- To present the important changes of the specific railway regulations and national legislation.

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B. Introduction

1. General concepts

The main object of the transports field is to offer a proper developed infrastructure, modern and sustainable, adequately maintained, that facilitate a safety and efficient transport of the passengers and goods at national and European level and that have a positive and significant contribution to the economic development in Romania.

The main objectives in the railway field, inclusively that above mentioned, for whose achievement was made in 2008, were the following:

- To bring up to date and to integrate the national transport network into the European one;
- To harmonize the railway regulation framework into the railway safety field, inclusively the safety national norms system, with the European one;
- To accelerate the infrastructure rehabilitation (with direct impact on the removal of the dangerous points and of the speed limits on the public railway infrastructure, on the increase of the technical and commercial speed and the bringing of the railway safety at a optimal level operating);
- Development of the railway transport by reorganizing the activity of the commercial society from the railway field.

According to the Development strategy of the railway transport and the achievement of the objectives concerning the European Integration of the transport system, in the same time with the defining the politics and the principles for the transport field reorganization and the issuing of the legislation for the reorganization of the commercial societies from the railway field, according to the European Union directives were accelerated the rehabilitation and the modernization of the railway infrastructure, on the network TEN-T, especially on the pan-European corridors IV and IX that cross Romania.

The principles for the railway field reorganization were defined in the document *Plan concerning the long term strategy of the railway field in order to reestablish the financial stability of the railway administrator in order to modernize and renew the infrastructure*. The plan consists of measures for the *financial increase of the railway societies, costs optimization and the operation in economic efficiency conditions*.

Correlated with the financial possibilities, was established the **Rehabilitation program of the railway infrastructure** (with direct impact *on the removal of the dangerous points and of the speed limits from the public railway infrastructure, on the increase of the technical and commercial speed, on the bringing of the traffic safety at an optimal level of operating*) and were drawn up technical documentations, were performed auctions, contracts and modernization works of the infrastructure with ensured finances, respectively were started the procedures in order to identify and to ensure finance for the works non-ensured from the finance point of view.

2. Information concerning the modernization of the Romanian railway infrastructure

The public railway infrastructure belongs to the Romanian state and it is rent by the Romanian Railway Company „CFR” S.A, without pay a due, during 49 years from its setting up (1998), upon contract concluded with the Ministry of Transports.

The parts of the public railway infrastructure are stipulated in the annex 2 of the Romanian Railway Government Decision no. 581/1998 concerning the setting up of the Romanian Railway Company “CFR”- SA, with the later amendments .

The Romanian railway network is presented in the annex A.1.

In 2008 the stakeholders have acted for the implementation of the following priority directions:

- the achievement of the TEN railway in Romania;
- the modernization of the trans-European corridors IV and IX;

- the modernization of the railway stations (Euro stations);
- electronic centralization of railway stations;
- the maintenance of the railway infrastructure elements to bring them to safety and operational parameters according to EU rail.
- Railway norms

As stated in previous reports, from the interoperability point of view, the infrastructure is divided in interoperable and non-interoperable;

- Interoperable railway infrastructure is part of the railway infrastructure, used for national and international traffic, administrated in accordance with the legislation provisions on free access of railway undertakings, which are developed in accordance with the technical norms for interoperability adopted at European level, taken into the Romanian legislation;
- Non-interoperable railway infrastructure is part of the state public or private railway infrastructure, used for the local traffic, connected or not to the interoperable railway infrastructure and it is managed and developed upon some internal specific regulations; the non-interoperable railway infrastructure consists mainly of tracks little connected or non-connected, with small importance and can be rent by the Romanian Railway Company “CFR” SA to other economic agents performing transport operations, called managers of non-interoperable infrastructure;
 - Manager of the non-interoperable infrastructure is any legal person or group of legal persons registered in Romania, whose activity object in the railway field is to perform works for maintenance and repairing of the railway infrastructure, as well as to perform connected services for the railway transports, each of them authorized by AFER for activities performed on the running sections of the non-interoperable railway infrastructure, which have their own staff, qualified and authorized by AFER, according to the regulations in force and which engage to operate them in strictly accordance with the general and specific regulations for the Romanian railway transports;

Also during 2008 was continued the renting activity, carried on by the non-interoperable infrastructure managers, of the little used tracks, connected or non-connected, of small importance. Of the total 10.882 km of existing railway network in Romania, about 3.300 km have been outlined as non-interoperable running sections. Till now there have been rented running sections with a total length of about 900 km.

The list of the non-interoperable railway sections and of the economic agents that rent these running sections from the Romanian Railway Company “CFR” SA is presented in the annex A.1.1.

During 2008 were continued the rehabilitation and modernization works of the railway sections *București-Constanța, Câmpina-Brașov and Curtici-Arad-Simeria, from the Corridor IV.*

In the *Modernization Program of the railway stations* were continue performed rehabilitation and modernization works of railway stations, 15 railway stations being received (Arad, Alba Iulia, Sibiu, Sighișoara, Brașov, Ploiești Sud, Focșani, Galați, Tulcea, Oradea, Suceava, Bacău CFR stations with Credit Suisse First Boston funds and Cluj Napoca and Iași CFR stations with BERD funds).

6 stations are under works (Timișoara, Craiova, Constanța CFR stations with BERD funds and Drobeta Turnu Severin, Fetești CFR stations with Credit Suisse First Boston funds).

Also, a number totaling 21 CFR stations are under preparation (Satu Mare, Baia Mare, Zalău, Bistrița, Târgu Mureș, Reșița, Miercurea Ciuc, Sfântu Gheorghe, Râmnicu Vâlcea, Pitești, Slatina, Târgoviște, Alexandria, Giurgiu, Călărași, Slobozia, Brăila, Vaslui, Piatra Neamț, Botoșani, Târgu Jiu).

Electronic centralization works were completed in the following c.f. stations: Ploiești Sud, Ploiești Vest, Ploiești Est, Ploiești Tiraj, Brașov, Deva, Simeria, Alba Iulia, Timișoara and Arad.

Electronic centralization works are being made in the following c.f. stations: Lugoj, Caransebeș, Drobeta Turnu Severin, Chitila, PM Buciumeni, Chiajna, Focșani, Complex Constanța, Palas.

3. Analysis of the safety certification course

3.1. Safety authorization of the railway infrastructure administrators

Until the 9th of March 2008 can not be used the legislation framework for transposing in the national legislation the Safety Directive 2004/49/EC, concerning the safety authorization of the railway infrastructure administrators.

During 2008, upon the Order of the Minister of Transports, Constructions and Tourism no. 691 from the 8th of April 2004 concerning the approval of the Norms for granting the authorization for the management of the non-interoperable railway infrastructure rent from the Romanian Railway Company "CFR" SA (published in the Official Journal, part I no. 360 from the 23rd of April 2004) were granted Management Authorizations to 9 economic agents, named „non-interoperable railway infrastructure managers”.

During 2008 the Minister of Transports’ Order no. 101 from the 29th of January 2008 concerning the granting of the safety authorizations to the administrator/manager of the Romanian railway infrastructure, published in the Romanian Official Journal, part I no. 102 from the 8th of February 2008, with implementation from the 9th of March 2008, was approved.

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

Taking into account the national legislation provisions from 2008 until the entry into force of the Minister of Transports’ Order no. 101, some data from the annex 2.1 of the annual report model of the European Railway Agency, respectively those concerning the non-interoperable railway infrastructure parts, were not necessary data and/or compulsory for the granting of the management authorizations of the railway infrastructure and they are not in Romanian Railway Safety Authority data basis.

3.2. Safety certification of the railway companies (railway undertakings)

The access of the railway undertakings on the Romanian railway infrastructure during 2007 was realized upon the next legal documents:

- *Romanian Government Ordinance no. 12/1998 concerning the transport on the Romanian railway network with ulterior modifications and completions;*
- *Romanian Government Decision no. 581/1998 concerning the setting up of the Romanian Railway Company “CFR” SA with ulterior modifications and completions;*
- *Romanian Government Ordinance no. 89/2003 concerning the renting of the railway infrastructure capacities, tariffs for the use of the railway infrastructure and the safety certification, approved with the changes by the Law no. 8 from the 18th of February 2004*
- *Romanian Government Decision no. 1696/2006 concerning the approval of the Regulation for renting the railway infrastructure capacities;*
- *Minister of Transports’ Order no. 535 from the 26th of June 2007 concerning the approval of the norms for granting the railway licence and the safety certificates in order to perform railway transport services on the Romanian railway network (from the 25th of August 2007).*

When the safety certificates are granted upon the Minister of Transports’ Order no. 535 from the 26th of June 2007 concerning the approval of the norms for granting the railway licence and of the safety certificates in order to perform railway transport services on the Romanian railway network (published in the Romanian Official Journal, part I no. 501/26.07.2007), the Romanian Railway Safety Authority completed this data basis with parts requested by European Railway Agency – ERA, excepting the number of the coaches/wagons, that is not a request for granting the safety certificate.

During 2008, in Romania was made an important step towards interoperability, the first safety certificate issued to a railway undertaking that holds a railway operating licence issued in another state of the European Union, that is Rail Cargo Austria AG, part of the OBB (national registration number FN 248731g), safety certificate owner part A no. OS-RO-751-2006, to which the safety certificate was issued part B CSB 0083 (ID number UE RO 1220090083) for the transport service type B (including dangerous goods transport) for 4 locomotive LE 6400 kW and 2 locomotive LDE 1600kW, on running sections that provides transport of goods on routes West-East (on running sections components of IV PanEuropean Corridor) and Center-South (on running sections components of IX PanEuropean Corridor) of Romania, from the state borders Biharkeresztes/Episcopia Bihor and Lokoshaza/Curtici (borders with Hungary) to Constanța seaport (Black Sea port) and to Giurgiu Nord/Ruse Triaj and Negru Vodă/Kardam state borders (borders with Bulgaria).

On 24th of June 2009, Rail Cargo Austria has launch in Romania the freight transport service Freight Border Railway Transport, event that coincides with the entry on the romanian profile market of the Austrian national freight operator which becomes the first foreign freight operator present in Romania. The project was already implemented in other states of eastern Europe, Rail Cargo Austria AG extending services for freight segment in Romania.

4. Implementation of the Directive 2004/49/CE in the national legislation

As it was presented in the anual Romanian Railway Safety Authority reports for 2006 and 2007, in order to harmonize the Romanian regulation framework with this of the members of the European Union was adopted the *Law no. 55 from the 16th of March 2006 concerning the railway safety*, the law object is to ensure the development and the improvement of the safety on the Romanian railway network and an improved acces to the railway transport service.

By the Government Decision no. 1561 from the 1st of November 2006 for the amendment of the *Government Decision no. 626/1998 concerning the Romanian Railway Authority organization and functioning – AFER* (legal document that came into force on the 21st of November 2006) was re-organized the Romanian Railway Authority – AFER.

In order to achieve the obligations stipulated in the legal documents in force, in the Romanian Railway Authority - AFER there are 4 independent bodies with permanent activity, stipulated in the Law no. 55/2006 concerning the railway safety, *namely*:

- a) Romanian Railway Safety Authority;
- b) Romanian Railway Notified Body;
- c) Romanian Railway Investigating Body;
- d) Romanian Railway Licensing Body.

their tasks are established by organization and functioning regulations, stipulated in the annexes at AFER organization and functioning regulation.

By this law was changed the railway licences conditions, changing the Government Ordinance no. 89/2003 concerning the renting the railway infrastructure capacities, *tariffs for the use of the railway infrastructure and the safety certification* (published in the Romanian Official Journal, part I, no. 623 from the 31st of August 2003), approved with amendments by the Law no. 8/2004 (published in the Romanian Official Journal, part I, no. 178 from the 2nd of March 2004).

Also, there were transposing in the national legislation the Directive 2004/49/CE, concerning the regulation of the safety certification activity of the railway undertakings and the safety authorization activity of the infrastructure administrators, in 2007 was approved the Ministry of Transports Order no. 535 from the 26th June 2007 concerning the approval of the norms for granting of the railway transport licences and of the safety certificates in order to perform railway transport services on the Romanian railway network, (legal document that came into force on the 25th of August 2007) and respectively in 2008 *Minister of Transports' Order no. 101 from the 29th of January 2008 concerning the granting of the safety authorizations to the administrator/manager of*

the railway infrastructure from Romania, published in the Romanian Official Journal, par I ,no. 102/08.02.2008 (legal document that came into force on the 9th of March 2008).

Following the coming into force of the legislation framework for transposing into the national legislation the Directive 2004/49/CE, respectively the *Law no. 55/2006 concerning the railway safety*, that regulates also the activity of safety authorization of the infrastructure administrators, during 2007 was drawn up a Minister of Transports' Order project concerning the granting of the safety authorizations and that was approved in 2008 (Minister of Transports' Order no. 101 from the 29th of January 2008 concerning the granting of the safety authorizations to the administrator/manager of the railway infrastructure from Romania, published in the Romanian Official Journal, par I ,no. 102/08.02.2008, with implementation from the 9th of March 2008).

It was issued a Government decision project concerning *the Regulation for the examination and investigation of the railway accidents and incidents, for the development and improvement of the railway safety on the Romanian railway network*, that was submitted for the notification/approval of the Ministry of Transport and Infrastructure during 2008. The drawing up of the project *Regulation for examination and investigation of the railway accidents and incidents, for the development and improvement of the railway safety on the Romanian railway network* aimed to transpose in the national legislation the Directive 2004/49/CE, respectively the *Law no. 55/2006 concerning the railway safety*, for the unitary application of their provisions by all the economic agents that carry on railway transport services on the Romanian railway network, respectively public railway infrastructure administrator, non-interoperable railway infrastructure managers, licensed railway undertakings – national, private, economic agents that own industrial railway tracks or railway vehicles, as well as by the economic agents that carry on connected and adjoining railway activities.

C. Romanian Railway Safety Authority

1. Presentation

Romanian Railway Safety Authority is an independent body that carry on in the Romanian Railway Authority, being organized and functioning according to the provisions of the *Law no.55/16.03.2006 concerning the railway safety* and of the *Romanian Government Decision no.626/1998 concerning the organization and functioning of the Romanian Railway Authority – AFER*, amended by the *Romanian Government Decision no.1561/01.11.2006*.

The Romanian Railway Safety Authority started its activity on the 1st of March 2007 when was approved its organization chart by Minister of Transports' Order no. 373/01.03.2007.

The Romanian Railway Safety Authority is independent concerning the organization, legal structure and the decision process as against any railway undertakings, railway infrastructure administrator, applicant and procurement entity.

The executive management of the Romanian Railway Safety Authority is ensured by a committee consisting of 5 persons, whose chairman is the director of the Romanian Railway Safety Authority, appointed by Minister of Transports' Order.

The members of the director committee are specialists of the Ministry of Transports and Infrastructure, appointed and changed by Minister of Transports' Order.

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

The director of the Romanian Railway Safety Authority manages, organizes, coordinates and controls the whole activity of the Romanian Railway Safety Authority.

Chief inspector is subordinated to Romanian Railway Safety Authority director and he takes the director's place, when he is missing. The chief inspector represents the subordinated departments in the relationships with the other AFER departments. The chief inspector organize, coordinate and control the activity of the subordinated departments and of the Railway Safety Inspectorates 1-8.

From the subordinated department point of view of Romanian Railway Safety Authority, there can be distinguish two structures in the Romanian Railway Safety Authority:

- the central structure consists of 7 departments, led by heads of departments (3 of them having one compartment subordinated, led by a head of department):

- **Regulations for Traffic Safety Department** – is subordinated to Romanian Railway Safety Authority Director. The department includes the Compartment for European Legislation Harmonization, compartment subordinated to head of Regulations for Traffic Safety Department;
- **Quality of the Public Services Department** – is subordinated to Romanian Railway Safety Authority director. The department includes the Railway Suppliers Compartment, compartment subordinated to head of Quality of the Public Services Department;
- **Safety Certification and Authorization Department** is subordinated to Romanian Railway Safety Authority director.
- **Control and Traffic Safety Department** – is subordinated to Romanian Railway Safety Authority chief inspector
- **Authorization, Certification Staff Department** – is subordinated to Romanian Railway Safety Authority Chief Inspector. The department includes the Certification of the Dangerous Goods Counsellors Compartment, compartment subordinated to head of Authorization, Certification Staff Department.
- **Authorization of the Railway Stations and of Industrial Railway Tracks Department** – is subordinated to Romanian Railway Safety Authority Chief Inspector;
- **Authorization - Putting into Service of Sub-systems Department** – is subordinated to Romanian Railway Safety Authority Chief Inspector

Romanian Railway Authority – AFER, hereinafter AFER, is organized and functioning as a public institution with legal personality under the Ministry of Transports and Infrastructure and is financed entirely from own revenues.

Romanian Railway Authority – AFER was established and operate on the basis of the *Romanian Government Ordinance no. 95 of October 27, 1998 concerning the establishment of public institutions under the Minister of Transports*, published in the Official Journal of Romania, Part I, no. 320 of October 30, 1998 approved by law 3/2002 *with ulterior modifications and completions*, and on the basis of the *Romanian Government Decision no. 626 of September 24, 1998 on the Romanian Railway Authority-AFER organizing and functioning*, published in the Official Journal of Romania, Part I, no. 373 of October the first, 1998 modified and completed by the *Romanian Government Decision no. 1561 of November the first, 2006*, published in the Official Journal of Romania, Part I, no. 940 of November 21, 2006.

AFER is the Ministry of Transport and Infrastructure specialized technical body in the railway field, metro and urban rail transport, mainly designed to ensure the activities provided for in Article 1, paragraph (2) of Government Decision 626/1998 modified and completed by the Romanian Government Decision no. 1561/2006.

Within AFER, in addition to the Romanian Railway Safety Authority there are 3 more bodies with permanent activity under the Law no. 55/2006 concerning the railway safety:

- Romanian Railway Notified Body;
- Romanian Railway Investigating Body;
- Romanian Railway Licensing Body.

The 4 bodies are represented in court by AFER, and the consequences of the decisions made by the court, remaining permanently, are borne directly by the concerned body.

The main tasks of the Romanian Railway Safety Authority, that result from the provisions of the Law no.55/16.03.2006 concerning the railway safety and of the Romanian Government Decision no.626/1998 concerning the organization and functioning of the Romanian Railway Authority – AFER, amended and completed by the Romanian Government Decision no.1561/01.11.2006 were presented in the Annual Report of the Romanian Railway Safety Authority from 2006, and the main tasks of the departments from the Romanian Railway Safety Authority, as they result from the Organization and Functioning Regulation of the Romanian Railway Authority – AFER were presented in the Romanian Railway Safety Authority annual report for 2007.

Compared to 2007, during 2008 there were no changes in organizational or functioning structure of Romanian Railway Safety Authority or its departments.

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

2. Organizational flow

Romanian Railway Safety Authority organizational flow is presented in the Annex B.2.

D. Improvement of the railway safety

1. Initiatives for the improvement of the safety performances

During 2008, the acts happened in the railway transport was devided according to the provisions of the *Instructions for the pentru prevention and the investigation of the railway accidents and events – 003*, approved by Minister of Transports' Order no. 210/2000, as railway accidents or railway events, different from the present division and investigation way stipulated in the Directive 2004/49/EC.

Upon the *Instructions for the prevention and investigation of the railway accidents and events – 003*, approved by Minister of Transports' Order no. 210/2000, the investigation of the railway accidents was carried on by the Romanian Railway Authority - AFER, and the investigation of the railway events was performed in common by committees consisting from representatives of the railway infrastructure administrator/manager and of the railway undertakings

As was stipulated in the 2007 report, there was drawn up a government decision project concerning the *Regulation for the examination and investigation of the railway accidents and incidents, for the development and improvement of the railway safety on the Romanian railways* that was submitted for notification/approval of the Minister of Transport and Infrastructure during August 2008.

The drawing up of the the *Regulation for the examination and investigation of the railway accidents and incidents, for the development and improvement of the railway safety on the Romanian railways* intends to transpose into the national legislation the Directive 2004/49/CE, respectively the *Law no. 55/2006 concerning the railway safety*, in the sens of the unitary application of their provisions by all the economic operators that perform railway transport services on the Romanian railways.

During 2008 occurred three railway accidents classified in accordance with the provisions of the *Instructions for the prevention and examination of the railway accidents and events – 003*, approved by Minister of Transports' Order no. 210/2000, two of them were inspected by the Romanian Railway Safety Authority staff.

In order to prevent of some similar railway accidents, the Romanian Railway Authority ordered, by the examination file, the measures that are presented in the table 1.1.

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

Final decisions	Accidents / precursors that generated the measures		
	Date	Place	Event presentation
1. Retraining the locomotive staff concerning the conditions under which the	05.02. 2008	Odorhei CFR station	Isolated shunting locomotive DHC 624 belonging to SC RC-CF

<p>leaving of a stopped locomotive is allowed and the measures that must be taken by the driver when driving;</p> <p>2. The authorization of movements inspectors that are used as foreman shunter for running safety installation handling, that fitted out the locomotives, to maintain their place at shunting and/or in the running, in one driver case (without driver assistance);</p> <p>3. The draw up of regulations concerning on how the provisions are released in relation with running train staff, the forming of trains and how to arrange the train vehicles in the train;</p> <p>4. Control organization so that:</p> <ul style="list-style-type: none"> - the leaders of specific activities to supervise the subordinated staff activity and take timely measures to eliminate deviations and indiscipline acts; - control actions take place constantly and demanding, without formality, against wrong systems detection and elimination, generating accidents and/or railway events; - deviation treatment will be done with sense of responsibility, depending on the seriousness of the actions and montly check of how the established measures have been applied; <p>the railway personnel that in performing its control attributions is tolerating indiscipline, is showing formalism, superficiality and that does not take or propose prevention measures and by case to be treated as non-corresponding concerning the position.</p> <p>6. Issuing instructive materials that shall contain:</p> <ul style="list-style-type: none"> - the circumstances and the causes that led to the of this railway event; - their own measures disposed following the occurence of the railway event. 			<p>TRANS SRL Braşov moved on without the locomotive driver, he went down without ensuring the locomotive with the handbrake and in the conditions that the lever for the release valve of the air operation from the locomotive brake cylinders was blocked with a improvised splint in “open” position. Locomotive DHC 624 began to run on Odorhei-Cristur current line. After the locomotive began to run on the current line, the driver took a taxi near the Feliceni halt exceedint the locomotive, he tried to climb on the locomotive driving post while the locomotive was running, he sliped under the locomotive and both his legs were amputated and died in hospital shortly.</p> <p>Cause: the uninstructional leaving of the isolated locomotive driver’s cab by the driver and his departure in locomotive persuit without warning the CFR Odorhei railway station movement inspector about this initiative.</p>
<p>1. Examination of the curves in the track on Dorobantu – PC2 Medgidia line and of other non-interoperable running sections rented by SC ROMPETROL LOGISTICS SRL Ploiesti, concerning the planning of the curves in the track and carrying out the cant of the track by observing the provisions of the Instruction no.314/1989;</p> <p>2. Organizing the activity of repair,</p>	<p>Nov emb er 20, 2008</p>	<p>The non-inter-operable running section Dorobantu -Romcim Medgidia</p>	<p>As concerns the freight train movement no.59480 (belonging to the railway undertaking SC UNIFERTRANS SA Bucureşti), composed of 35 wagons and hauled by the locomotive DA 952 took place the derailment of three wagons from the train’s composition (the fifth, the sixth and the seventh from the</p>

<p>maintenance and examination of the technical condition of the line CF according to the instructions and regulations in force of CFR, according to the obligations from the contracts of renting the noninteroperable railway infrastructure.</p> <p>3. Scheduling of the works of repairing and maintenance of the noninteroperable railway infrastructure of the line Dorobantu-PC2 Medgidia by its railway administrator (SC ROMPETROL LOGISTICS SRL Ploiesti), as established on the occasion of the performed track inspection according to the provisions of the Instruction no.300/1984;</p> <p>4. Reprocessing with the employees with responsibilities in traffic safety when reopening the line after the rehabilitation works, as concerns the observation of the provisions of the Instructions no.317/2004 and no.003/2000.</p> <p>5. Observing the provisions of the technical sheet of the line Dorobantu – MedgidiaPC2 meaning that the freight trains hauling to be done with double traction.</p> <p>6. Investigating by the non-interoperable railway infrastructure manager from the line Dorobantu – MedgidiaPC2 (SC ROMPETROL LOGISTICS SRL Ploiesti) the personnel guilty for the non-observance of the provisions from the order for running concerning the running speed ;</p> <p>7. Examination by the non-interoperable railway infrastructure manager from the line Dorobantu – Medgidia PC2 (SC ROMPETROL LOGISTICS SRL Ploiesti) of the condition of the centre castings to all wagons with Tads series that operates it and taking the adequate measures;</p> <p>8. Investigating by the non-interoperable railway infrastructure manager from the line Dorobantu – Medgidia PC2 (SC ROMPETROL LOGISTICS SRL Ploiești) of the personnel guilty for the non corresponding coupling of the wagons from the train no. 59480 of the November 20,2008.</p> <p>9. Approval and investigating by SC UNIFERTRANS SA according to the</p>			<p>locomotive) being loaded with broken limestone, as follows:</p> <ul style="list-style-type: none"> - the wagon no.825366703677 derailed of the first bogie in the running way and of an axle from the second bogie; - the wagon no.825366703297 and the wagon no. 825366703842 overturned from the bridge of Channel Danube – Black See on the first and second running wire of the main line 800 perpendicular on the track axle so that the current line between the railway stations CFR Medgidia – Dorobantu was closed for the railway traffic (the first running wire was closed for rehabilitation works of the fourth PanEuropean Corridor). <p>The cause of the railway event occurrence was the track overturning from the inside wire of the curve (the track from left side in the running way), fact determined by:</p> <ul style="list-style-type: none"> - overloading the inside wire of the curve due to the excess of cant existing on the curve, of the running with low speed and of the way of running of the train such is by backing movement; - release of the rail-sleeper fastening and the special wood sleepers breaking for the points and crossing, as result of their impact by the rolling stock wheels derailed on November 19, 2008; - the overload of the rail-sleeper fastening as result of the wagons circulation with an exceeded load on the axle from the freight train composition no.59214 of November 19, 2008, after reopening the traffic with a speed restriction of 5km/h as result of the railway event occurred on November 19, 2008; - generating the derailment of the wagon no. 33870821384-2 by the wagon no.338708213329-7 derailed
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provisions from the Instructions for preventing and investigating the railway events and incidents no.003/2000, of the cases of putting into circulation of the trains that had in composition wagons with an exceeded load on axle. 10. Inspection by SC UNIFERTRANS SA București of the remaining operational life to the wagons that it uses as an owner, according to the provisions from the Railway Normative 67-005/2008 approved by the Order of the Minister of Transports no.364/2008.			with the centre casting blocked; - the circulation in curve with small radius and high cant of the wagon with a high centre of gravity (series Tads) that can become instable when they are in the composition of trains with low speed.
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The third railway event occurred during 2008 (railway event qualified according to the provisions of the *Instructions for preventing and investigating the railway events and incidents -003, approved by the Order of the Minister of Transports no.210/2000*) was investigated by a commission designated by the order of the Minister of Transports and was composed by the director of the Romanian Railway Investigating Body as president of the investigating commission and four members – the director of the Romanian Railway Safety Authority, the deputy of the general director, the general examiner within the National Company of Railways “CFR” SA (the manager of the public railway infrastructure) and the chief of the Traffic Safety department within the National Society of Passenger Railway Transport “CFR Călători” SA (railway undertaking).

Decided measures	Railway events/ precursors that have triggered measures		
	Date	Place	Railway event description
1.Processing the railway event with the entire operating staff of CNCF “CFR” SA drawing attention to the need to strength vigilance on the presence of foreign persons located in the area of railway safety in order to prevent their intervention on the rails and traffic safety installations; 2.Processing the railway event with the entire operating staff of the Romanian licensed railway undertakings to strength their vigilance and notification of the CNCF CFR SA employees when they are finding foreign persons in the area of railway safety.	May 10, 2008	Valea Călugărească Halt	As concerns the passenger train movement no.1661 (belonging to SNTFC “CFR CĂLĂTORI” SA), that was running on București Nord – Iasi, hauled by the electric locomotive no. EA 872 (belonging to the engine shed București Călători), occurred the derailment of both bogies of the locomotive of hauling the train and of the first four wagons from its composition (wagon no. 50531955029-7 of both bogies, the wagon no. 50532716020-5 of both bogies, the wagon no. 50532716017-1 of both bogies and the wagon no.50532716021-3 of an axle) and also the damaging of the contact wire. Following the derailment took place the death of a passenger from the first wagon and four passengers were wounded.

			<p>The cause:</p> <ul style="list-style-type: none"> - non-locking the right points from the curved stock rail when operating the switch no.9 from its position “deflecting section” on the position “main line” corresponding to the route of passing on the third direct line for the train no.1661, which allowed penetration through the right points and the curved stock rail of the lips of the wheel rims from the right side of the locomotive and the lips of the wheel rims from the right side of the derailed wagons. <p>This was possible on the following conditions:</p> <ul style="list-style-type: none"> -at the command of passing on the third direct line that was performed for the train no.1661, the switch no.9 was operated with electric control from the position ”deflecting section”(corresponding to the previous route performed for the freight train no.81705) on the position ”main line”; -when operating the switch no.9 from the position “deflecting section” on the position “main line” occurred the displacement of the locking box simultaneously with the operating crowbar, due to the absence of the nuts from the screws of fastening the locking box (detaching the nuts of the screws of fastening the locking box by the curved stock rail was made by unknown persons). <p>In these conditions, when the train’s locomotive no.1661 passed over the switch no.9, because of the dynamic loadings the peak of the right points (not locked) has displaced from the curved stock rail, allowing the penetration of the lips of the wheel rims from the right part of the locomotive, through the right points and the curved stock rail followed by the derailment of the locomotive’s wheels from the left of the running direction and previously of the following four wagons from</p>
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			<p>the train's composition.</p> <p>During the turnround of the derailed locomotive and wagons, a rail section was detached from the glued insulated rail joint from the line no.4 which broke through the floor of the first compartment of the first wagon, passed through the second compartment and stopped in the ceiling of the first compartment causing the death of a passenger.</p> <p>Due to derailment three passengers and the conductor were slight injured. The rail section detaching was possible after the vertical fastening was destroyed on the inside left wire of the line 4 by the locomotive's derailed wheels and cutting off the horizontal bolts from the glued insulated rail joint and mechanical bolts.</p>
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As follows it is presented a syntetical situation on the cases of train's derailments, train's collisions (including collisions with obstacles within the gauge) that took place on the Romanian railway infrastructure in 2008.

These facts were classified as railway events according to the provisions of the *Instructions for preventing and investigating the railway events and incidents no.003/2000* and the railway incidents investigation was performed in common by commissions composed of representatives of the railway infrastructure manager/administrator and the railway undertakings that established measures for preventing similar cases.

Trains derailments

Current no.	Date of occurrence	Place of occurrence	Short description	Cause
1.	March 13, 2008	CFR Dragășani railway station	At the entrance in CFR Dragășani railway station of the train no.22018, between the entry signal and the points and crossing no.2, at the km 240+800, hauled with the locomotive DA	Exceeding the stability limit by unloading the first axle of the wagon.

			1174 took place the derailment of a first axle in the running direction of the wagon no.315354943062.	
2.	March 18, 2008	CFR Constanta Port railway station, area B	When parking the freight train no.60439 to line 1F, after passing over the points and crossing no.TDJ 5/7, took place the derailment of the wagon no.33535495059-3 (the 19-th from the locomotive) of the first bogie in the running direction.	Unloading the wheel no.1 of the first axle, due to the exceeding of the report maximum allowed between the loads of the wheels 1 and 2 of this axle (real 1:2,43, maximum allowed 1:1,25) because of the loading and non-assurance of the freight .
3.	April 18, 2008	CFR Livezi Ciuc railway station - Paltinis halt	Between CFR Livezi Ciuc railway station and Paltinis halt took place the derailment of axle no.1 of the locomotive EA 690 that was running as banking locomotive to the freight train no.60828 that was hauled with the locomotive EA 734.	Settlement under traffic of the connecting area between the work performed on the bridge Utușoiu and the track bed, to the end of walls resulting a platform of 1/96.
4.	May 26,2008	Mogoșeni halt	When the passenger train no. 4483 entered in Mogoșeni halt, in the area of the points and crossing no.5 took place the derailment of first axle in the running direction (axle no.6) of the locomotive EA 826.	Track breaking due to the non-corresponding sleepers.
5.	July 22,2008	CFR Lumina railway station	The derailment of first bogie of the empty wagon no. 33870821328-1 (the 10-th of the signal) from the composition of the freight train no.59213 took place.	Non-corresponding maintenance of the track.
6.	July 27, 2008	CFR Palas railway station	When shunting the locomotive DA 1383 from the signal M 22 to line no.3, took place a violent collision of the wagons of the freight train no. 64752 fact that led to the derailment of the second and third wagon from the signal.	Non-surveying the shunting route by the engine driver DA 1383.
7.	July 29, 2008	CFR Târgu Jiu railway station	The derailment of first bogie in the running direction of the wagon no. 31835320080-7 (loaded with steel wires) being the eight wagon	Tyre rotated and displaced due to the non-corresponding tightening.

			in the freight train's composition no.60432 that over-climbed on the point switch no.12 of the railway station.	
8.	August 27,2008	Recea Halt	When the freight train no.42402-1 passed on the second deflecting section, took place the derailment of the second bogie in the running direction of the wagon series Sgns no.315345560165 (the eight from the locomotive), loaded with an empty Trans-Container.	Non-performing the packing of sleepers that were imposed to the heel joint of the points and crossing.
9.	September 20,2008	CFR Motru Est railway station – Jirov halt	As concerns the circulation of the freight train no. 93845 hauled by the locomotive EA 675 took place the derailment of both bogies of the wagon no. 8253666540102 and of one bogie of the wagon no. 825366534147 (the11-th and the 12-th wagon from composition).	The blocking of the system LENOIR by the leading bogie of the wagon.
10.	September 22, 2008	CFR Sinaia railway station	As concerns the circulation of the freight train no.80422 took place the derailment of the hauling locomotive EA1081 of all axles over the points and crossing no.7 from the railway station (the derailed locomotive circulated until the area of the points and crossing 3/5).	The existence of a lateral threshold of 6 mm to the stock rail joint of the switch point no.7, insulating joint with stratified wood isolating rail joint bar caught in pliers and of a threshold in a dynamic regime of 10 mm to the other insulating joint correlated with weak fastening in the area of joints and on the side rail point.
11.	October 6,2008	CFR Fetești railway station	As concerns the circulation of the freight train no.70661 took place the derailment of first bogie of the wagon no.885366565608 (the second wagon from the locomotive) loaded with granulated blast.	Non-uniform disposal of the freight in the wagon.
12.	October 21,2008	CFR Berceni railway station	When parking the freight train no.92205 in Berceni railway station on the sixth line, the	The breaking of the axle journal no.6 from the axle

			derailment of axle no.3 of the wagon no. 825366533348 (the 21-th from the locomotive, loaded) took place at approximately 100 metres from the shunting limit signal due to the firing and the breaking of the axle journal, respectively the axle-bearing dropping from the wheel no.6.	no.3 of the wagon no.515366533348.
13.	October 23,2008	CFR Brasov Triaj railway station - Dârste railway station	Derailment of a bogie of the fourth wagon from the locomotive, no.3153547547-7 (loaded with copper concentrate-in bulk) from the freight train composition no.71882.	Non-uniform loading of the freight in the wagon.
14.	October 23,2008	CFR Ploiești Triaj railway station	When the freight train no.32503 entered in the railway station at line no.3A in the area of the points and crossing no.109, occurred the hanging of the freight train no.32503 by a rake of wagons. Following the impact occurred the derailment of a bogie of the second wagon from the signal (no.31535494245-2 – empty) and its support on a supporting pole of the contact line respectively of both bogies of the third wagon from the signal (no.31535483843-7- empty) and the traction couple breaking of the 10-th wagon (no.31535493292-5).	Putting in motion by the engine driver of the rake of wagons located on the line 5A with the electric locomotive EA 380 ensured by one driver without being sure of the position of light signals fact that led to the Y5A signal passing in the position „stop without passing the signal”.
15.	November 19, 2008	Medgidia PC2	As concerns the circulation of the freight train no.59476 composed of 33 wagons took place the derailment of first bogie in the running direction of the wagon no. 338708213917 (the 7-th from the signal), loaded with broken limestone.	a)Overloading of the inner rail of the curve due to the excess of cant existing on the curve. b)Overloading the rail-sleeper fastening as result of the circulation of the wagons with exceeded load on the axle from the composition of the trains that have run on the period

				November 14-19, 2008, including of the train no.59476 of November 19, 2008; c)The total wear (to the bogie no.1-4) and the advanced wear (to the bogie 5-8) of the wearing plate Railko that led to bad functioning of the wagon centre castings no. 33870821391-7.
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Trains collisions, including collisions with obstacles within the gauge

Current no.	Date of occurrence	Place of occurrence	Short description	Cause
1.	January 9, 2008	CFR Pucioasa railway station - Vulcana Pandeale halt	The train no.9434 (hailed with the locomotive DA 769) encountered and hit an unsupervised horse within the structure clearance gauge, fact that led to the damaging of the locomotive's air tube.	An unsupervised horse entered in the structure clearance gauge.
2.	January 16, 2008	CFR Plopşoru railway station - Rovinari railway station	The locomotive EA 806 that hauled the passenger train no.1724 encountered and hit an unsupervised horse in the structure clearance gauge, fact that led to the damaging of the locomotive air tubes of 5 and 10 atmospheres.	An unsupervised horse entered in the structure clearance gauge.
3.	January 21, 2008	CFR Siculeni railway station - Izvoru Oltului railway station	The locomotive EA 919 that hauled the passenger train no.4504 hit a sledge loaded with wood, left in the structure clearance gauge.	A sledge loaded with wood was left in the structure clearance gauge.
4.	January 28, 2008	CFR Bacau railway station - Garleni halt	The passenger train no. 657 hit two unsupervised horses left in the structure clearance gauge, fact that led to the breaking of the air tube of 10 atmospheres from the unit brake of the locomotive.	Two horses entered in the structure clearance gauge.
5.	January 30, 2008	CFR Cogeaalac railway station - Mihai Viteazu halt	The passenger train no. 8654 hit a cart with animal traction, abandoned in the structure clearance gauge.	A cart entered in the structure clearance gauge.
6.	January 31, 2008	CFR Jegalia railway station	The train no.80427 encountered and hit a horse in the structure	A horse entered in the structure

		- Bărăganu halt	clearance gauge.	clearance gauge
7.	February 14,2008	Lunca de Mijloc halt	The tip lorry having the matriculation number HR 03 PHH, which its tipping body raised up during circulation hit the railway platform at the km 116+910 leading to the breaking and falling of some pieces from the platform parapet in the structure clearance gauge that previously were hit by the locomotive EA 689 (belonging to the Engine shed Galati) that was hauling the train no.5214.	Raising the tipping body of the tip lorry during circulation and striking the railway art works.
8.	March 10,2008	CFR Fieni railway station - Pucioasa railway station	The passenger train no. 1882 composed of the motorised train DESIRO no.2071 encountered and deadly hit an unsupervised horse in the structure clearance gauge.	A horse entered in the structure clearance gauge
9.	April 5, 2008	CFR Craiova railway station - Filiași railway station	The freight train no.27217 composed of the isolated locomotive no.EA616 encountered and hit an unsupervised horse in the structure clearance gauge.	A horse entered in the structure clearance gauge
10.	April 12, 2008	CFR Campina railway station - Florești Prahova halt	The freight train no.83452, hauled with the locomotive EA 673, encountered and hit an unsupervised horse in the structure clearance gauge.	An unsupervised horse entered in the structure clearance gauge.
11.	April 17, 2008	CFR Doicești railway station - Vulcana halt	The train no.1887 encountered and hit an unsupervised cow in the structure clearance gauge.	A cow entered in the structure clearance gauge.
12.	April 27, 2008	CFR Carbunesti railway station - Jupanesti halt	The freight train no. 91318 encountered and hit an unsupervised horse in the structure clearance gauge, fact that led to the breaking of the air cocks of 5 and 10 atmospheres.	An unsupervised horse entered in the structure clearance gauge.
13.	April 27, 2008	CFR Campina railway station - Florești Prahova halt	The passenger train no.1622 encountered and hit a flock of sheep, fact that led to the air cock breaking from the air reservoir.	A flock of sheep entered in the structure clearance gauge.
14.	May 3, 2008	CFR Chitila railway station - Buftea railway station	The passenger train no.3011 encountered and hit an unsupervised horse in the structure clearance gauge, fact that led to the damaging of the locomotive's pipe of 5 atmospheres of the locomotive	A horse entered in the structure clearance gauge.

			EA 772 that was hauling the train.	
15.	May 3, 2008	Valea Putnei halt – Pojorâta railway station	The passenger train no.1654 encountered and hit a deer in the structure clearance gauge, fact that led to the damaging of the air reservoir of the locomotive EA 758.	A deer entered in the structure clearance gauge.
16.	June the first, 2008	CFR Pietrosita railway station - Tepeș Vodă halt	The passenger train no.1884 composed of the motorised train Desiro 2076 encountered and hit an unsupervised horse in the structure clearance gauge.	A horse entered in the structure clearance gauge.
17.	June 24,2008	Dumbrava Bârsei halt – Codlea railway station	The passenger train no. 626 encountered and hit two unsupervised horses in the structure clearance gauge.	Two horses entered in the structure clearance gauge.
18.	June 25,2008	CFR Fetești railway station – Borcea halt	The freight train no.13944 encountered and hit an unsupervised horse in the structure clearance gauge.	A horse entered in the structure clearance gauge.
19.	June 25,2008	CFR Fetești railway station – Borcea halt	The freight train no.12274 encountered and hit an unsupervised horse in the structure clearance gauge.	A horse entered in the structure clearance gauge.
20.	July 7, 2008	CFR Filiasi railway station	The passenger train no.1372-1, hauled with the locomotive no. EA 080 encountered and hit four unsupervised cows in the structure clearance gauge, fact that led to the damaging of the air pipe of 5 atmospheres of the locomotive EA 080.	A cattle herd entered in the structure clearance gauge.
21.	The 7th of July 2008	Tâmna railway station – Igiroasa halt	The passenger train no.12193, hauled with the locomotive no. EA 147 met and hit in the structure clearance 2 unwatched bovines, it led to the damaging of the pipes of 5 and 10 atmospheres of the locomotive EA 147.	Entrance of two bovine in the structure gauge
22.	The 11th of July 2008	Ogoarele halt – Perișoru movements halt	The passenger train no. 1681, hauled by the locomotive no. EA 379 met and hit in the structure clearance an unwatched bovine, it led to the breaking of the coupling of the inductor from the armatures equipment of the locomotive EA 379	Entrance of a bovine in the structure gauge
23.	The 14th of July	Radomirești –	The passenger train no. 12193, hauled by the locomotive no. EA	Entrance of a flock of sheep

	2008	Mihailești halt	147 met and hit in the structure gauge an unwatched flock of sheep	in the structure clearance
24.	The 27th of July 2008	Codlea – Dumbravița halt	The passenger train no. 2101 hit in the structure clearance an unwatched horse, it led to the damaging of the pipe of 10 atmospheres of the air plant of the locomotive	Entrance of a horse in the structure clearance
25.	The 31st of July 2008	Carbunești railway station – Jupânești halt	The passenger train no. 2095 met and hit in the structure clearance an unwatched horse, it led to the damaging of the pipe of 10 atmospheres of the locomotive air plant	Entrance of a horse in the structure clearance
26.	The 4th of August 2008	Monor Gledin railway station – Râpa de Jos halt	The passenger train no. 407-2 met and hit in the structure clearance a bear	Entrance of a bear in the structure clearance
27	The 11th of August 2008	Derin halt – Medgidia railway station	The train 8652 hit with the locomotive stairs a tree falled in the structure clearance	Falling of a tree in the structure clearance
28.	The 17th of September 2008	Gaești railway station – Mătășaru halt	The passenger train no. 9008 met and hit in the structure clearance an unwatched horse, it led to the damaging of the locomotive air half-couplings	Entrance of a horse in the structure clearance
29.	The 28th of September 2008	Rosiori Nord railway station – Maldaeni halt	Passenger train no. 9397 met and hit an unwatched bovine in the structure clearance	Entrance of a bovine in the structure clearance
30.	The 8th of October 2008	Mureni halt – Vanatori railway station	The passenger train no. 1746 met and hit two unwatched horses in the structure clearance, it led to the breaking of the locomotive air pipes	Entrance of 2 horses in the structure clearance
31	The 10th of October 2008	Turnișor – Cristian Sibiu halt	Passenger train no. 2413 met and hit a bovine in the structure clearance	Entrance of a bovine in the structure clearance
32	The 21st of October 2008	Rupea railway station – Racos halt	The freight train no. 23721 met and hit an unwatched bovine in the structure clearance, it leading to the breaking of the general pipe of the locomotive EA 698	Entrance of a bovine in the structure clearance
33	The 14th of November 2008	Valea Lunga railway station – Câmpu Libertății halt	Passenger train no. 346-1 met and hit a deer in the structure clearance, it led to the breaking of the air cocks of 5 and 10 bars of the locomotive	Entrance of a deer in the structure clearance

34	The 27th of November 2008	Videle railway station	Passenger train no. 1824, hauled by EA 318, having entry order on the line 3, met and hit an unwatched horse in the structure clearance	Entrance of a horse in the structure clearance
35.	The 21st of December 2008	Bals railway station – Robănești halt	Passenger train no. 1896 consisting in motorised trains DESIRO no. 2007 and no. 2054, met and hit an unwatched horse in the structure clearance	Entrance of an unwatched horse in the structure clearance.

The number of the train collisions (35 cases) results from the introduction in the report of the train collisions with obstructions in the clearance (branches and trees fallen in the structure clearance, unwatched animals that entered in the structure clearance, vehicles coming into the structure clearance, etc.).

Following the train collisions with the obstructions in the clearance (unwatched animals or vehicles), the railway staff notified the Railway Police about these events occurrence and the Railway Police, together with other public entitled institutions proceed to the identification of the guilty persons in order to cover the damages generated at the railway vehicles or at the railway infrastructure.

Further on, we present for your information, the train derailments, generated by the intention of some individuals to disturb the transports or to destroy the material assets belonging to the railway system.

According to the provisions of the rt. 16, paragraph 1 from the *Instructions for the prevention and investigation of the railway accidents and incidents – 003*, approved by Minister of Transports' Order no. 210/2000, „possible acts intentionally generated by third individuals, in order to disturb the railway transports or to destroy the material assets are not included in railway accidents or events according to the present instructions and will not be recorded in the railway accidents and events statistics”. According to the provisions of the art. 16, paragraph 2 of the same instruction „, after the occurrence of the acts stipulated at the paragraph (1), the head of the sub-unit where it happened, will notify at once, on the phone or written, the police prosecution bodies, as well as the managements of the involved economic agents.

We specify that these cases were not taken into account in the performed analysis on the safety indicators for the year 2008, beeing taken out from the records by including these in the terrorist acts.

No.	Occurrence date	Occurrence place	Brief presentation	Cause
1	The 2nd of April 2008	Mirsid halt	At the exit of the freight train no. 43613 hauled by the locomotive DA 1314 and the banking locomotive DA 746, from the deflecting section 3, belonging to the movements halt Mirsid, in the area of the switch no. 2/6 there occurred the derailment of one axle of the wagon no. 81537880784-7 (the 4th from the signal), the derailment of one axle of the wagon no.	Detachment and theft of the metallic elements for the fastening of the check rail by the unidentified persons, it leading to the canting of it to the rail, followed by the running of the wheel flange on the check rail and movement of the wagon in the crossing area, on the direct line instead of the check line

			81537880872-0 (the 5th wagon from the signal), the derailment and the overturning on the right side of the running direction of the wagon no. 81537882854-6 (the 7th from the signal), the derailment and the overturning on the left side of the running direction of the wagon no. 82537889029-7 (the 8th wagon from the signal)	
2	The 16th of April 2008	Palas railway station	At the entrance in the railway station Palas of the freight train no. 82701 occurred the derailment of the first bogie in the running direction of the empty wagon no. 85537882555-5, the 11th from the signal in the train forming.	The theft by the unidentified persons of stop-block and of the block holder from the left side of the first axle of the first bogie from the derailed wagon.

We also present you below the derailments occurred following the train collision with obstructions in the clearance (unwatched animals or rocks), but which were not taken into account in the train derailments situation from the safety indicators for the year 2008. In these situations the railway staff is responsible with the notification of the Railway Police concerning the occurrence of these acts, and the Railway Police, together with other entitled public institutions proceed to the identification of the possible guilty persons in order to cover the damages happened at the railway vehicles or at the railway infrastructure.

No.	Occurrence date	Occurrence place	Brief presentation	Cause
1.	The 8th of February 2008	The railway stations Barabant - Zlatna	The derailment of the first axle in the running direction of the motorised train AM 4508 which formed the passenger train no. 14894	Falling in the structure clearance of some boulders from the slopes
2.	The 18th of April 2008	The railway stations Voiteni - Gataia	The motorised train AM 4514103-6 which run as passenger train no. 14666 met and hit a flock of sheep in the structure clearance. Following the impact there occurred the derailment of the axle no. 2 of the motorised train	Entrance of a flock of sheep in the structure clearance and its hitting by the train
3.	The 19th of September	The railway station Zarnesti	The passenger train no. 14712 (consisting in the	Entrance and hitting of a flock of sheep in

	2008	- Rasnov halt	motorised train X4500 no. 4524 and 2 wagons) met and hit an unwatched flock of sheep. Following the impact there occurred the derailment of the first axle in the running direction of the first wagon	the structure clearance
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2. Analysis of the data concerning the railway accidents and incidents occurrence.

Following the coming into force of the legal framework for transposing into the national legislation of the Directive 2004/49/EC, respectively the *Law no. 55/2006 concerning the railway safety*, one set out the safety indicators according to the provisions of the annex no. 1 of the *Law no. 55/2006 concerning the railway safety*.

For 2008, the safety indicators were set out on the basis of the records of the railway infrastructure administrator/manager and of the railway undertaking.

The numeric data as well as the used definitions are presented in the annex C.

E. Important changes in the regulations and legislation

In order to harmonize the national legislation with the community one, as well as in order to ensure the development of the railway traffic safety, transports security and public services quality in the railway and subway field, in 2008 the regulation activity was a priority activity for the Romanian railway transport field, being approved a series of orders, as follows:

- Minister of Transports' Order no. 593/07.05.2008 for the running of the special train ordered by the editorial office „INDOHAZ”, ensured by the railway undertaking MAV-START from Hungary, on the Romanian railway infrastructure, between the 9th and the 12th of May 2008;
- Minister of Transports' Order no. 101/29.01.08 for the approval of the *Norms concerning the granting of the safety authorization to the Romanian railway infrastructure administrator/manager*;
- Minister of Transports' Order no. 103/29.01.08 for the approval of the *Instructions for the acceptance and dispatching of the exceptional transports on the railway infrastructure no. 328*;
- Minister of Transports' Order no. 1221/26.09.08 for the amendment of the Minister of Transports, Constructions and Tourism' Order no. 547/2003 concerning the approval of the specific Regulations for the trains numbering on the Romanian railway network;
- Minister of Transports' Order no. 490/479 – Order of the Minister of Transports and of the Minister of Labour, Family and Equal Opportunities for the application of the minimum requirements concerning the issues on the working conditions of the mobile workers who perform railway cross-border interoperability services;
- Minister of Transports' Order no. 1007/12.08.2008 – Minister of Transports' Order concerning the approval of the Railway Normative ”Railway infrastructure – fixed equipments – electric traction – main protection conductor – Part 2 Electric calculation. Requirements”;
- Minister of Transports' Order no. 1545/2008 – Minister of Transports' Order for the approval of the „Norms concerning the competence and the working way of the assessment commission , actions terms as well as the procedure for the settlement of the appeals for the auctions whose object is the hire of the track sections belonging to the non-interoperable railway infrastructure;
- Minister of Transports' Order no. 1413/13.11.2008 – Minister of Transports' Order for the approval of the Norm for drawing up /updating the railway technical norms and the railway normatives for

designing, construction, upgrading, repairing and maintenance of the railway infrastructure and rolling stock;

- Minister of Transports' Order no. 363/18.03.2008 – Minister of Transports' Order concerning the approval of the railway technical norm „Railway vehicle. Diesel-electric locomotive 060 DA of 2100 HP. Technical regulations for the revision during the technological process at the locomotive putting in the traction units, regulations for energy supply and as well as for cleaning and washing the locomotive”;
- Minister of Transports' Order no. 364/18.03.2008 – Minister of Transports' Order concerning the approval of the railway technical norm ”Railway vehicles. Planed revisions and repairs”
- Minister of Transports' Order no. 365/18.03.2008 - Minister of Transports' Order concerning the approval of the railway technical norm „ Railway vehicles.Ultrasonic control of the wagon pair of wheels”;
- Minister of Transports' Order no. 366/18.03.2008 - Minister of Transports' Order concerning the approval of the railway technical norm „ Railway vehicles. Electric locomotives of 5100 kW and 3400 kW. Technical regulations for planed revisions and repairs”;
- Minister of Transports' Order no. 1484/28.11.08 – Minister of Transports' Order for the approval of the Norms concerning the granting of the technical approval to the vehicles that exceeded the normal functioning time/
- Minister of Transports' Order no. 1545/2008 – Minister of Transports' Order concerning the authorization of the putting into service of the structural subsystems, parts of the Romanian conventional railway transport system;
- Minister of Transports' Order no. 443/18 from 2008 – Order of the Minister of Public Health and of the Minister of Transports concerning the approval of the hygiene norms for the passenger transport;
- Minister of Transports' Order no. 1010/2008 – Minister of Transports' Order concerning the change of the annex 1 of the Minister of Transports' Order no. 655/2007 for the approval of the uniform norms concerning the Romanian railway transports;
- Minister of Transports' Order no. 375/2008 / Minister of Transports' Order concerning the acceptance of the crossing of working equipment RPM 2002 with trains consisting in wagons CSI transposed on gauge 1-VM;
- Minister of Transports' Order 1465/26.11.08 – Minister of Transports' Order for the amendment and the addendum of the Minister of Transports, Constructions and Tourism no. 2262/2005 concerning the authorization of the staff with responsibilities in the traffic safety who is to carry out on his own account railway activities.

In the annex D are presented the reason of the introduction, orders description and the date of the coming into force.

F. Development of the certification and safety authorization activities

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 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 certification and safety authorization are presented in the annex E.

3. Procedural issues

3.1 Safety certification, part A

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

- Change of the services type (passengers, freight, railway shunting);
- Change of the legal conditions, change of the railway undertaking names, etc.

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.

- No case

3.1.3 Revision of the applications of other National Safety Authorities for checking/access of 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.

- No case

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

- No case

3.1.5 NSA fee for the part E 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 changes, respectively the Minister of Transports' Order no. 791/2007 (the tariffs are established in accordance with the number of the hours necessary for the assessment of the documents and the checking of the safety management system implementation, with reference to the railway service type).

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

- No case

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

- No case

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

- No case

3.2 Safety certification part B

3.2.1 Reasons to update/change the part B Certification:

- Change of the services type (passengers, freight, railway shunting);
- Increase/decrease of the traffic – operated lines (increase/decrease of the operated running track sections);
- Change of traction rolling stock fleet;

- change of the type of the hauled rolling stock;
- change of the legal conditions, change of the railway undertakings names, etc.

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.

- No case

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 changes and amendments, respectively the Minister of Transports' Order no. 791/2007:

- For the railway services type A and B the tariffs are established in accordance with the number of the necessary hours for the assessment of the documents in order to grant the safety certificate, according to the length of the requested routes, as well as according to the necessary hours for the assessment of the documents in order to introduce the motorised rolling stock in the annex II of the safety certificate part B);
- For the railway transport services type C the tariffs are established in accordance with the number of the necessary hours for the assessment of the documents in order to grant the annex I of the safety certificate (amendment with new shunting areas) or according to the number of the locomotives that are to be introduced in the annex II of the safety certificate).

3.2.4 The contents of the problems using 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 applied 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 to the railway enterprises to pay their opinion on the procedures/practices or on the complaint sheet.

- The legislation did not them stipulated.

3.3 Safety authorizations

In 2008 there was approved the Minister of Transports' Order no. 101 from the 29th of January 2008 concerning the granting of the safety authorizations to the Romanian railway infrastructure administrator/manager, published in the Romanian Journal part I no. 102/08.02.2008, being applicable starting with the 9th of March 2008.

3.3.1 Reasons to update/amend the safety authorizations.

- Change of the number/length of the non-interoperable track sections that were hired by the non-interoperable railway infrastructure managers from the Romanian Railway Company „CFR” S.A;
- Change of the legal conditions, change of the railway undertakings names, etc.

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.

○ No case

3.3.3 The contents of the common problems/difficulties 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 allow to the railway enterprises to say their opinion on the procedures/practices or on the complaint sheet.

○ The legislation did not them stipulated.

3.2.3 NSA fee for the safety authorizations (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 changes and amendments, respectively the Minister of Transports’ Order no. 791/2007:

- In order to grant the safety authorization part A the tariffs are established in accordance with the necessary number of hours for the assessment of the documents and for the checking of the safety management system implementation.
- In order to grant the safety authorization part B, the tariffs are established in accordance with the necessary number of the hours for the documents assessment and respectively in accordance with the length (in km) of the non-interoperable running track sections.

G Surveillance of the „Railway undertakings” and of the „ Infrastructure Managers”

1. Presentation of the surveillance of the railway undertakings and railway infrastructure administrator/non-interoperable railway infrastructure managers

Romanian Railway Authority, according to the provisions of the Romanian Government Decision no. 626/1998 concerning the organization and the functioning of Romanian railway Authority – AFER, changed and amended by the Government Decision no. 1561/01.11.2006, as well as the Minister of Transports’ Order no. 650/28.10.1998 for the organization and the control and state inspections in the railway and subway field and for some specific measures concerning the railway events investigation, performed inspections and state controls for monitoring the meeting with the railway and subway internal and international regulations, monitoring of the meeting of the regulations on the traffic safety, transports security and public services quality, in the railway and subway field.

Through the state controls and inspections, performed at the economic companies, involved in the railway and subway field, is checked the meeting with the regulations specific to the transports safety and security, public services quality, finding out of the failures and of the wrong working systems, as well as the establishment of the specific measures for their preventing, analyzing and removing.

The state control consists in the analysis of the whole activity of an economic agent from the railway field, for some period of time, concerning the traffic safety, transports security and railway and subway public services quality.

The state control is performed according to a quarterly programme consisting in: the name of the controlled economic agent, thematic, period of time and the control time. The programme is

drawn up by the manager of Romanian Railway Safety Authority and is approved by the Minister of Transports and Infrastructure.

In 2008, Romanian Railway Safety Authority performed 57 state controls at the railway infrastructure administrator, non-interoperable railway infrastructure manager and railway undertakings, as follows:

- Head structure of National Railway Company „CFR” SA (public railway infrastructure administrator)
 - Head structure of the National Railway Passenger Company „CFR Călători” SA;
 - Head structure of the National Railway Freight Company „CFR Marfa” SA ;
 - Territorial structures of National Railway Company „CFR” SA (railway counties from 1 to 8)
 - Territorial structures of National Railway Passenger Company „CFR Călători” SA (railway passenger counties from 1 to 8);
 - Territorial structures of the National Railway Freight Company „CFR Marfa” SA (railway counties from 1 to 8);
- The private railway undertakings and non-interoperable track sections managers SC RAIL INTERNAȚIONAL SRL București, SC LOGISTIC SERVICES DANUBIUS SRL Timișoara, SC REGIOTRANS SRL Brașov, SC RC-CF TRANS SRL Brașov, SC CLASSFER SRL Râmnicu Vâlcea, SC SOFTRANS SRL Craiova, SC TRANSFEROVIAR Grup SA Cluj Napoca, SC KAIROS SRL București, SC CRIMBO GAS FILIALA GIURGIU SRL Giurgiu, SC Constantin Grup SRL București, SC TRANSFEROVIARIA SA Sibiu, SC TRANSCOMBI SA Galați, SC UNIFERTRANS SA București, SC Cargo Trans Vagon SA București, SC România EUROEST SA Constanța, SC EURO CONSTRUCT SA Constanța, SC Construcții Căii Ferate SA Sibiu, SC CF 33 ICIM SA Arad, SC ROMPETROL Logistics SA București, SC SERVTRANS Invest SA București, SC Grup Feroviar Român SA București, SC RG Holz Company SRL Vișeu de Sus, SC VIROMET SA Victoria, SC TRANS Expedition Feroviar SRL București, Compania de Transport Feroviar București, SC VIA TERRA Spedition SRL Cluj Napoca, SC REGIONAL SRL Cluj Napoca, SC TRANSBLUE SRL București, Societatea Feroviară de Turism „SFT-CFR” SA București, SC CN SERVICE CF REC SA București.

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

a) concerning the meeting with the mandatory specific regulations in the building, modernization, operation, maintenance, repairing and technical checking of the public railway infrastructure:

- in 2008, comparing with 2007, there was found out a decrease of the trains running regularity both in routing and in running, the largest proportion having the delays in running following the speed restrictions;
- there are railway undertakings that carry out shunting and have access on the lines from the railway stations without having a contract for access on the public railway infrastructure concluded with CNCF „CFR”SA, without meeting with the provisions of the Minister of Transports’ Order no. 535/2007
- there are arrears concerning:
 - performance of maintenance, inspections and repairs at the lines and art works;
 - periodical repair with track weight machine with the complete cleaning of the track bed (RPc);
 - checking of the hidden parts of the switches;
 - checking of the relays and of the interlocking systems.

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

- though some operational procedures were updated, there were found out that the records do not completely ensure the traceability of the performed operations;
- there are cases of non-meeting with the deadlines of the planned inspections of the locomotives;
- there are situations in which the files with the regulations in force and with parts of them concerning the dangerous goods in sub-units are un-properly drawn up or unfinished. Ex:
 - the labels with the names of the commercial companies that dispatch or receive dangerous goods are missing or are incomplete;
 - the labels with the official transport name of the dangerous goods that are loaded, transit or are unloaded in the railway stations, are not properly drawn up or incomplete (there are not all the carried goods, danger technical sheets are missing and in their contents are missing the instructions for the conveyer in case of accident or incident);
- not all the rolling stock is matriculated according to the provisions of the Minister 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 identification of the railway and subway vehicles;
- not all the railway undertakings drew up the detail regulations concerning the way to deal with the emergency brake happened unexpectedly;
- the railway passenger counties made a decentralized purchase of a series of critical railway products/services from suppliers authorized by AFER, without meeting with the provisions of the Minister of Transports' Order no. 290/2000 concerning the validity of the railway supplier authorizations or of the certifications for the railway technical homologation/railway technical agreements;
- in some cases the reading and the interpretation of the speed recorder registering are not properly performed;
- the documents, drawn up at the quarterly analysis concerning the failures dealing with in the warranty period of the railway services, do not contain all the necessary information in order to establish the reliability elements and the remedies;

In order to remove the non-conformities found out at the state controls, the control teams from Romanian Railway Safety Authority established measures to remove the non-conformities found out and disposed as, for the case where the respective acts can be considered infractions of discipline, one perform an discipline investigation and punished the guilty staff.

The deficiencies found out that were contraventions defined in this respect in the legislation in force, were contravention punished. The penalties were applied to the individuals and legal persons, if case.

2. With reference to the fulfilment of the condition concerning the sending of all the safety reports according to the art 9(4) of the Safety Directive, drawn up by the infrastructure managers and the railway undertakings, up to the deadline.

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

In 2008, Romanian Railway Safety Authority planed by *Control and State Inspection Monthly Programmes* and performed state inspections consisting in control of some important specific activities, carried out by the economic agent concerning the traffic safety, transports security, railway and subway public transport services. The state inspections were carried out by random and without announcing it.

		Safety Certificates issued Part A	Safety Certificates issued Part B	Safety authorizations issued	Other activities (to be mentioned)
3. Inspections number for RUs/ IMs in 2008	Planed	1181	1181	205	605 – economic agents that supply critical services/products
	Performed	1181	1181	205	605 – economic agents that supply critical services/products

		Safety Certificates issued Part A	Safety Certificates issued Part B	Safety authorizations issued	Other activities (to be mentioned)
4. Audits number for RUs/IMs in 2008 (*)	Planed	0	0	0	0
	Performed	0	0	0	0

(*) Together with the drawing up of the norms concerning the application of the Law 55/2006 on the railway safety that transposed the Directive 2004/49/EC on the safety of the community railways, one will draw up documentations concerning the regulation of the performance of the audits at the railway infrastructure administrator/manager and at the railway undertakings.

5. Concerning the brief presentation of the relevant measures/actions for the correction (amendment, repeal, cancellation, important warning, etc.) with reference to the safety issues that followed to these audits/inspections

No case.

6,7 Complaints of IMs about RUs with reference to the conditions from the parts A/B of their certificates

No case.

ROMANIAN RAILWAY SAFETY AUTHORITY

Director
Cristinel FLOREA