



Inspectie Leefomgeving en Transport  
*Ministerie van Infrastructuur en Milieu*



# Vehicle Authorisation after political investigation & safe integration in the Netherlands

Conference /Training Budapest  
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NSA NL (National Safety Authority)



# Vehicle Authorisation -NSA NL

APS (Authorisation of Placing into Service) by NSA in the Netherlands:

- Pre-engagement (one meeting free of charge);
  - Application form available on our (ILT)-website;
- All possible products (derogations / APS / addition APS) on the form;
- National law/policy document to determine which modifications the NSA needs to know about (and which we do not want to know about);
  - Confirmation of completeness to the applicant;
  - Decision on the application within 8 weeks;
  - Assessment follows EU and National laws and guidelines. (Interop Directive / DV29bis / Safety Directive / CSMs / etc.);
  - Only type-authorisations plus direct registration of vehicles in NVR with declarations 'conformity to an authorised type' (EU 2011/201).



## DV29 bis (recommendation '2014/897/EU')

117 recommendations. Different titles and subjects:

2 'Authorisation for the placing in service of subsystems'.

15 'Type Authorisation'.

25 'Essential requirements, technical specifications for interoperability (TSI) and national rules'.

**38 'Use of the common safety methods for risk evaluation and assessment (CSM RA) and the safety management system (SMS)'**

52 'Mutual recognition of rules and verifications on vehicles'

55 'Roles and responsibilities'

**60 'National safety authorities should not repeat any of the checks carried out as part of the verification procedure.'**

85 'Testing'.

90. 'Technical file'.

99 'EC' declaration of verification.'

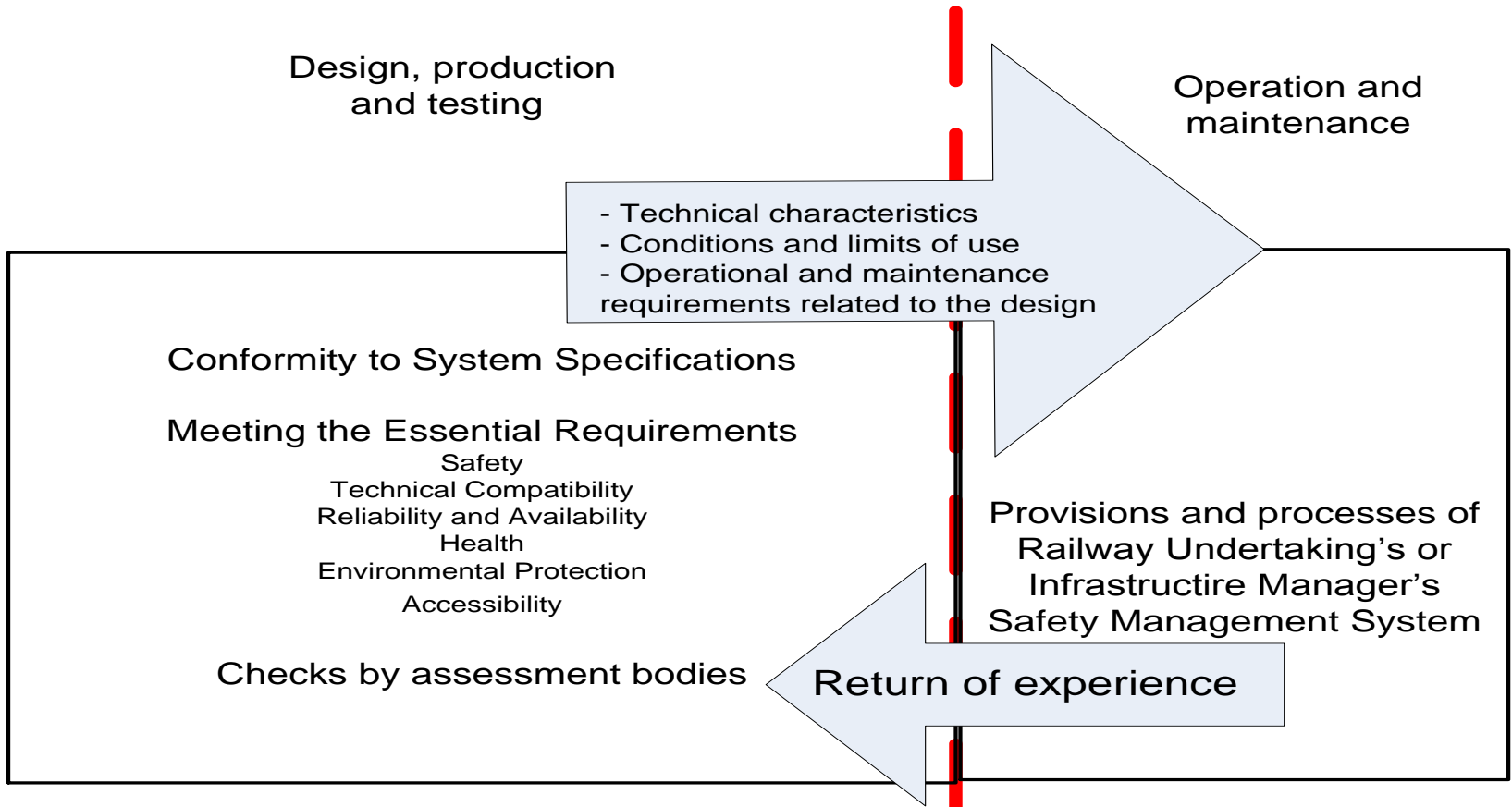
109 'Management of modifications.'



# DV29 bis recommendation 3

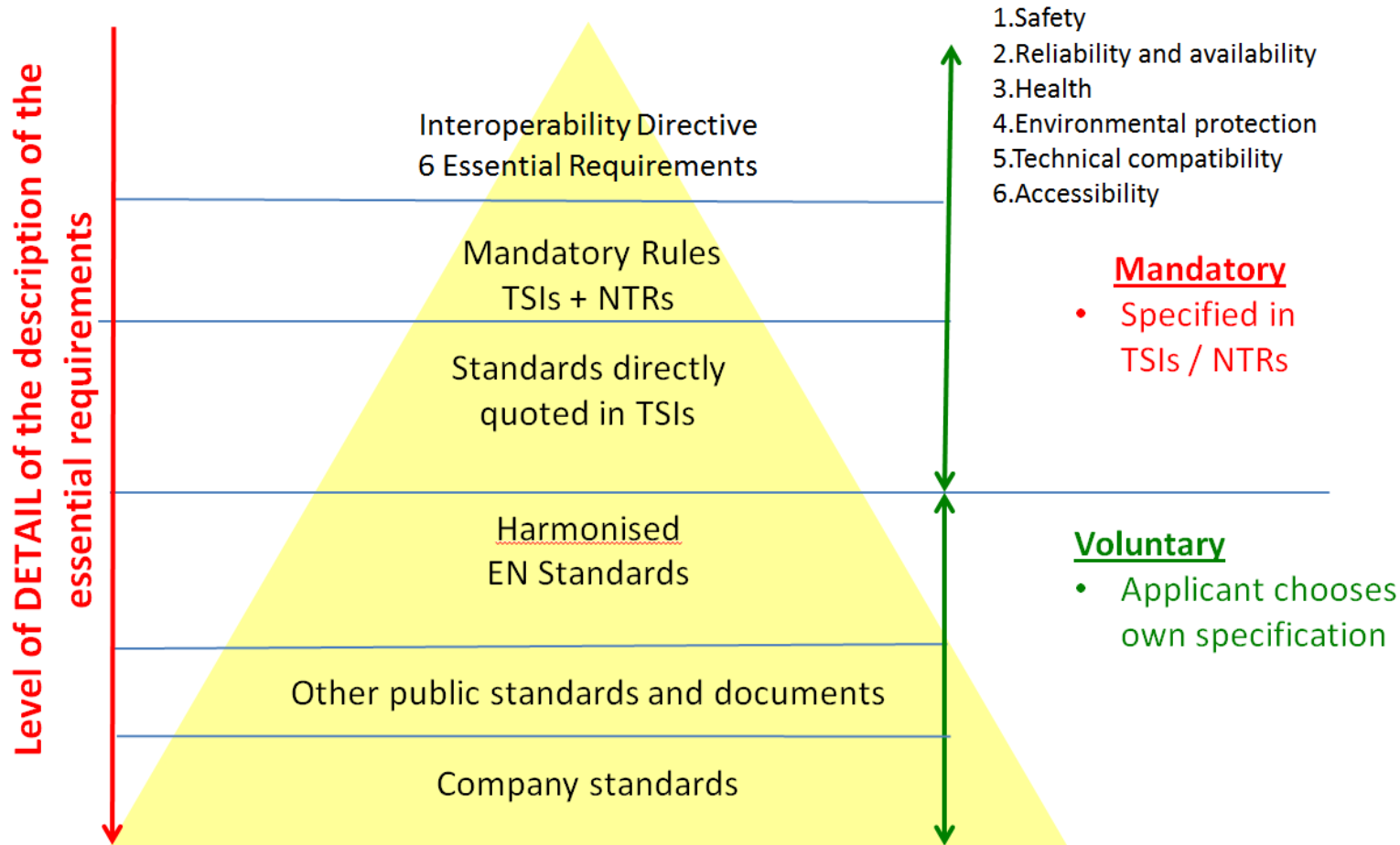
Authorisation  
for placing in  
service

2014/897/EU





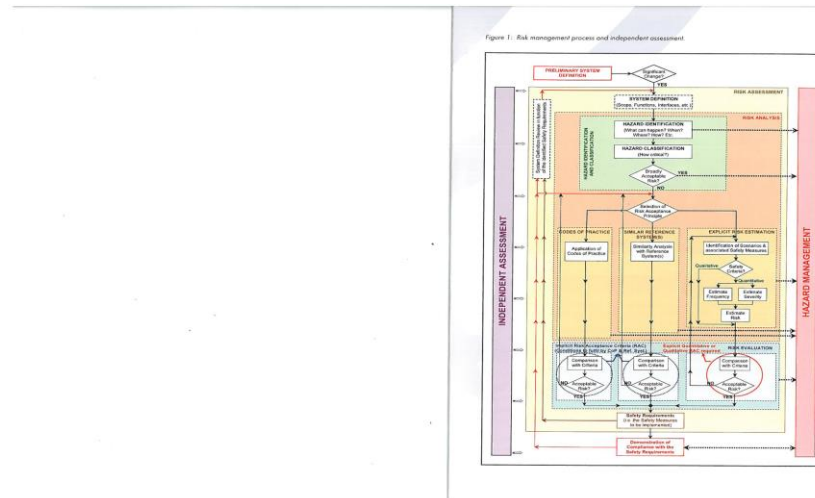
# DV29 bis – recommendation 31





## DV29bis recc. 38 links to CSM REA (2013/402/EU)

- Commission implementing Regulation (EU) No. 402/2013 on the common safety method for risk evaluation and assessment (CSM REA)
- Art.16 Declaration by the proposer: *"Based on the results of the application of this Regulation and on the safety assessment report provided by the assessment body, the proposer shall produce a written declaration that all identified hazards and associated risks are controlled to an acceptable level"*.





## **DV29bis Art.39** The term 'safe integration' may be used to cover:

- (a) safe integration between the elements composing a subsystem;
- (b) safe integration between subsystems that constitute a vehicle or a network project; and,  
for **vehicles**:
- (c) safe integration of a vehicle with the network characteristics;
- (d) safe integration of vehicles into the SMS of railway undertakings. This includes interfaces between vehicles, interfaces with the staff who will operate the subsystem, and maintenance activities by an ECM;
- (e) safe integration of a train with the specific routes it operates over;  
and for **network projects**:
- (f) safe integration of a network project with the vehicle characteristics defined in TSIs and national rules;
- (g) safe integration with adjacent parts of the network (line sections);
- (h) safe integration of network project into the SMS of the infrastructure manager. This includes interfaces with the staff who will operate the network project, and maintenance activities by the infrastructure manager or its contractors;
- (i) safe integration of a network project with the specific trains operating over it.



# High Speed Line ('HSL-South')



From the NL (Netherlands / Amsterdam) to BE (Belgium / Brussels). Line was ready in 2009





# High Speed Train V250 ('Fyra')



**2002** tendering of High Speed Trains (NL/BE) to run on HSL

**2004** Contract with supplier . To deliver in 2007.

**06-07-2012** APS (Authorisation Placing into Service) HST type V250. NSA-decision based on EU recommendation 'DV29' / Nobo certificates (CCS, RST, ENE) / Debo certificate (with national constraints), ISA-statement Track Train Integration. Infrastructure Manager advice.

**09-12-2012** trains in commercial service between Amsterdam – Brussel.

**15-01-2013** trains have several problems so availability is low. During winter/snow circumstances one train lost a plate (in BE).

**31-05-2013** NMBS (BE) stops running trains.

**03-06-2013** NS (NL) stops running trains.

**17-03-2014** agreement: all trains from BE/NL will be taken back by supplier.





# Parliamentary Inquiry Commission ('PEF')

Politicians discussed about the problem of ongoing delay in having good public transport on the High Speed Line (HSL-South).

**Parliamentary Inquiry Commission** was installed (2013). ('PEF' Commission 'Parlementaire Enquêtecommissie Fyra') <https://www.tweedekamer.nl/kamerleden/commissies/pef>

Inquiry topics: relation Transport Ministers(Ministry) <-> national RU/IM (finances / tendering Rolling Stock etc). Train quality.

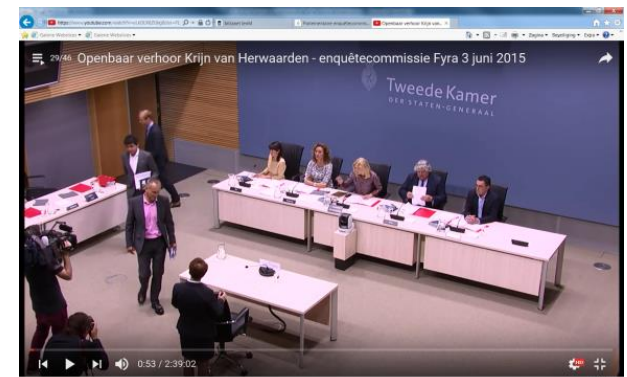
Role of Supplier/RU/Nobo/NSA (2014).

Public trials (ca. 25 persons)

also two NSA persons:

Inspector-General

Senior Inspector (3-6-2015).



<https://www.youtube.com/watch?v=eLkOLX6ZGkg&list=PLJKP3p2vpcUVq3hwejdQqLKS3M2fGfHLDm&index=29>

***'at the APS-moment the vehicle was 100% conform all given EU and national legislation!'***



# PEF Conclusions

Quotes taken from the public summary of the PEF-Report (october 2015):

Related to the RU (Railway Undertaking):

*'In march 2012 the RU decided to go into commercial service with the trains by december 2012 while there were still worries about the product quality and without a fall back option'*

Related to the NSA:

*'NSA blindly trusts the NoBo'*

*'NSA only checks the paper and not all the trains'*

*'There is too much trust on the site of the NSA'*

*'The focus should be more on the train itself and less on the proces'*



## PEF Recommendation (published october 2015 'De reiziger in de kou')

Recommendations related to the Nobo / NSA:

Nr. 6 cultural / behaviour change NSA necessary  
*'NSA should do more than just check the legislation'*

Nr. 7 monitoring of NoBo's should be more intense

Nr. 8 no consultancy role for Nobo's should be allowed

Nr. 9 strenghten the chain of certification / APS in the EU

Nr. 10 more cooperation between NSA's

2016 (January): Public debate on PEF report in the parliament.

2016 (May): Government reaction: 'We accept all PEF recommendations'.

2016: pilot NSA NL working 2.0

2017: final NSA NL working 2.0

P.S. The PEF Recommendations have a more or less causal relation with the Fyra-situation (KvH)



## NSA NL Working 2.0.

Vehicle authorisation is changed after political investigation.  
NSA should do more than 'just the legislation'.

NSA working 2.0 (plausibility check 2.0):

- more in-depth check of followed certification proces;
- serious engagement with applicant;
- meetings with specialist/experts;
- witnessing/attending SD production Nobo-audits.

Future / 4th RWP (Agency OSS per 16 june 2019):  
new adjustments to the way of working may occur.



# Authorisation and safe Integration

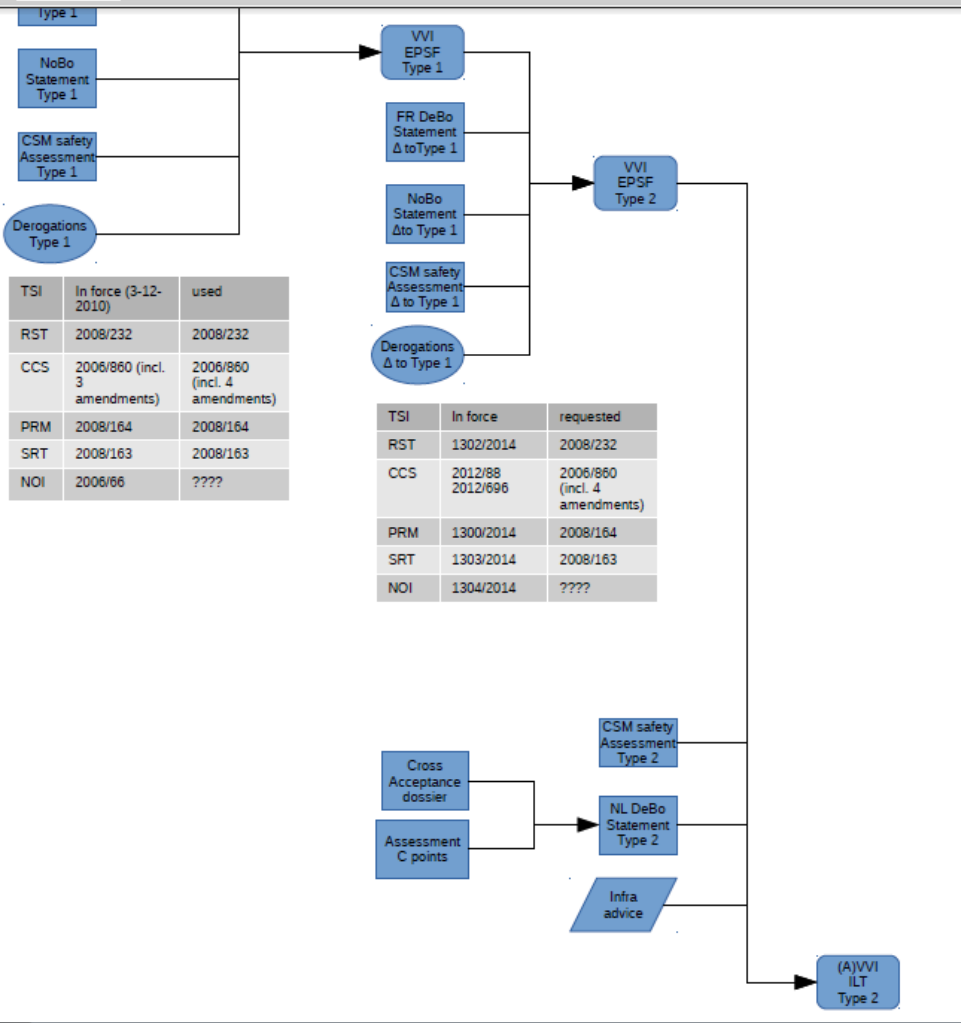
DV29bis. Quote from the introduction. Definitions:

'safe integration' means the action to ensure the incorporation of an element (e.g. a new vehicle type, network project, subsystem, part, component, constituent, software, procedure, organisation) into a bigger system, does not create an unacceptable risk for the resulting system;'

We always ask for **CSM REA** as part of the Application to show evidence for safe integration. (Also for modifications)

Constraints in the application might be transferred to the RU (SMS). **Advice IM** is on safe integration CCS/Vehicle with the national infrastructure. **Debo** checks NRs (National Rules).

Practical case: Velaro Eurostar – planned to run to Amsterdam in december 2017. NSAs work together. ILT uses schedule:



TSI	In force (3-12-2010)	used
RST	2008/232	2008/232
CCS	2006/860 (incl. 3 amendments)	2006/860 (incl. 4 amendments)
PRM	2008/164	2008/164
SRT	2008/163	2008/163
NOI	2006/66	????

TSI	In force	requested
RST	1302/2014	2008/232
CCS	2012/88 2012/696	2006/860 (incl. 4 amendments)
PRM	1300/2014	2008/164
SRT	1303/2014	2008/163
NOI	1304/2014	????



## **Autorisation and safe Integration**

CSM REA covers CCS into Vehicle and Vehicle into infrastructure.

Eurostar: NL is additional country of authorisation. First country of authorisation (FR) asks for derogation from newest CCS TSI.

About constraints of the vehicle and RU SMS. Are constraints accepted by the RU? If not (or not by us) we (as NSA) do not grant an APS. Applicant complains. Smaller issues are transferred from NSA certification to NSA supervision.

The ProRail advice is only on the incompatibility of the Vehicle with the national infrastructure.





# Supervision and safe Integration

Supervision 2016: auditprogramme on the CSM REA (2013/402/EU)

- Training of inspectors on CSM / questions formulated.
- 30 companies targeted.
- Conclusions: most companies are familiar with CSM and have integrated CSM in their SMS and use it. Really use Asbo in case of significant.

But also other practical experiences: lack of understanding within NSA and within the sector.

Future auditprogramme will combine CSM REA & CSM on Monitoring



# Supervision and safe Integration

Examples:

1. RU-consultant thinking he was Asbo without a certificate.
2. RU international merges with RU national: 'not significant'.
3. Taking over the transport rights in certain area 'not significant'.
4. Positive: Project uses voluntary CSM to demonstrate control
5. Nicest quote: *'we have not used the CSM REA because we do not know the risks of the project'*



Thank you for your attention!

