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## CER & ERFA Position Paper

Brussels, 21 December 2016

# Vehicle authorisation for broad gauge railways

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## VEHICLE AUTHORISATION IN EUROPEAN COUNTRIES WITH BROAD GAUGE

### Summary

The majority of the trans-European railway network was built with a 1.435 mm track gauge. Due to historical reasons and in particular the vicinity to Russia, Belarus and Ukraine, some European railway networks differ in terms of technical parameters, operational aspects and particular aspects in terms of vehicle authorisation:



- **Finland** (1.524 mm broad-gauge network)
- **Estonia, Latvia and Lithuania** (1.520 mm broad-gauge networks)
- **Poland and Slovakia** (1.520 mm broad-gauge lines)

This CER & ERFA Position Paper highlights the differences of the broad-gauge systems and showcases their specific needs for vehicle authorisation in light of the 4<sup>th</sup> Railway Package's Technical Pillar.

The exchange of vehicles with third countries is of high importance for the broad-gauge networks in northern and Eastern Europe.

The **agreement on the common usage of the fleet of 1.520mm freight wagons** needs to be fully **respected**.



**Rolling stock entering the European Union from third countries shall not be re-authorised** by the European Union Agency for Railways or by the National Safety Authorities.


**Rolling stock built, upgraded or renewed in a Member State** of the European Union and foreseen to be **exchanged with third countries** shall be built according to third countries' standards and authorised according to bilateral governmental agreements and **shall not be subject to additional authorisation by the Agency/NSA** (through the OSS tool) according to European/ national law.

## 1. Background

A huge number of freight vehicles coming from third countries (e.g. the Russian Federation) are operated on the broad-gauge networks in Europe, serving the needs of industry and business. For the countries concerned, the profitability of their railway networks depends on their third-country neighbours. The specific needs of these countries and their networks need to be respected so as to allow the railway sector to keep its competitiveness.

## 2. Overview

Area of use	Domestic services (Area of use = 1MS)	International services (Area of use > 1MS)
 <p>Finland</p>	<p>The railway system on the Finnish territory and the domestic rolling stock is TSI compliant. EU legislation is fully applied for the management of Finnish rail infrastructure, Finnish rolling stock and rail operations.</p> <p>→ Vehicle authorisation in line with the EU legislation</p>	<p>Export and import traffic to and from Russia as well as transit uses third-country, i.e. mainly Russian wagons. Wagons built according to third countries' standards are operated on the Finnish territory solely in Finnish-Russian traffic. Finnish-Russian rail traffic and usage of third-country wagons are based on bilateral governmental agreements. All rolling stock coming from Russia, even if it is actually from another country participating in the common 1.520 fleet (Commonwealth of Independent States (CIS) and Baltic countries), is treated under the provisions of these agreements.</p>
 <p>Baltic countries</p>	<p>For vehicle authorisation in the Baltic countries the EU legislation and national legislation applies.</p> <p>Depending on the vehicle's compliance with the TSI, the applicant needs to provide to the NSA the following documents:</p> <ul style="list-style-type: none"> <li>National inspection certificate and file of the technical inspection</li> </ul>	<p>Baltic NSAs accept vehicles entering the European Union from CIS states according to International agreement on usage of rolling stock.</p> <p>Any wagon from this common fleet may enter into the Baltic territory. All wagons are registered in a common automated database shared by the "railway administrations" of the CIS and Baltic countries.</p>

	<ul style="list-style-type: none"> <li>• National inspection declaration;</li> <li>• EC inspection certificate of and file of the technical inspection;</li> <li>• EC inspection declaration</li> <li>• Report on the analysis and risk assessment (Directive 2004-49-EC)</li> </ul> <p>→ Vehicle authorisation in line with the EU &amp; national legislation</p>	<p>This register uses an 8-digit numbering system and is accessible to all the participants online at all times.</p> <p>→ Mutual trust between the NSAs and the CIS countries</p>
 <p>Broad-gauge lines in Eastern Europe – not an integral part of the European railway system or the domestic rail network in Poland and Slovakia</p>	<p>Not applicable</p>	<p>1.520 mm locomotives are built according to TSI requirements and national rules and authorised by the respective NSAs.</p> <p>In transport between Poland and Ukraine, export and import traffic uses wagons belonging to third countries, including Ukrainian, Russian or other CIS countries' wagons. The wagons are built according to the third countries standards. Polish-Ukrainian rail traffic and the usage of the third countries' wagons are based on bilateral governmental agreements. All the rolling stock coming from the third countries is treated under the provisions of these agreements.</p> <p>1.520 passenger coaches with interchangeable bogies are authorised by the NSAs in line with EU legislation (although non application of TSIs) and national legislation.</p> <p>1.520 wagons are built according to third countries standards and operated on the Slovak territory solely in Slovak/Ukrainian traffic. The usage of third-country wagons</p>

		<p>is based on bilateral governmental agreement. All freight wagons coming from Russia/Ukraine, even if it is actually from another country participating in the common 1520 mm fleet (CIS and eventually Baltic countries), are treated under the provisions of this agreement.</p> <p>→ Mutual trust between the NSAs and the CIS countries</p>
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### 3. Recommendation

- The agreement on the common usage of the fleet of 1.520mm freight wagons needs to be fully respected. Vehicles exclusively coming from or going to third countries where the track gauge is different from that of the main rail network within the Union will never be used for interoperable trans-European rail services. Not applying TSIs, or parts of them, is therefore appropriate.
- Rolling stock built, upgraded or renewed in a Member State of the European Union and foreseen to be operated exclusively on a broad gauge network or line within the Union shall be authorised by the Agency/NSA (through the OSS tool) according to European/ national law.
- Rolling stock built, upgraded or renewed in a Member State of the European Union and foreseen to be exchanged with third countries shall be built according to third countries' standards and authorised according to bilateral governmental agreements and shall not be subject to additional authorisation by the Agency/NSA (through the OSS tool) according to European/ national law.
- Rolling stock entering the European Union from third countries shall not be re-authorised by the European Union Agency for Railways or by the National Safety Authorities.

#### About CER

The Community of European Railway and Infrastructure Companies (CER) brings together more than 70 railway undertakings, their national associations as well as infrastructure managers and vehicle leasing companies. The membership is made up of long-established bodies, new entrants and both private and public enterprises, representing 73% of the rail network length, 80% of the rail freight business and about 96% of rail passenger operations in EU, EFTA and EU accession countries. CER represents the interests of its members towards EU policy makers and transport stakeholders, advocating rail as the backbone of a competitive and sustainable transport system in Europe. For more information, visit [www.cer.be](http://www.cer.be) or follow us via Twitter at @CER\_railways.

#### About ERFA

ERFA - European Rail Freight Association - represents new entrants, i.e. all those operators who want open access and fair market conditions, and sustains their role of pushing forward the development of the railway market. The Association is very much a spin-off of the First Railway Package, adopted by the EU in 2001, and its vision of creating an open and competitive European rail market. The 36 members of ERFA represent the entire value chain of rail transportation: rail freight operators, wagon keepers, service providers, forwarders, passenger operators and national rail freight associations. For more information: please visit [www.erfarail.eu](http://www.erfarail.eu) or contact Markus Vaerst, Acting Secretary General, [markus.vaerst@erfarail.eu](mailto:markus.vaerst@erfarail.eu)

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