

CER Position Paper

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Train Drivers' Directive CER Position on the Revision

CER Position Paper TDD Revision

Contents

1. Executive Summary.....	2
2. Introduction	3
3. Certification Scheme.....	5
4. ATO Readiness.....	8
4.1. Presentation of automated driving.....	8
4.2. Possible links between ATO and TDD	9
5. Driving Licence and Complementary Certificates	11
5.1. Overall position	11
5.2. Digitalisation of Train Driver Licensing and Complementary Certificates	11
6. Harmonisation of training and certification requirements	13
6.1. Overall position	13
7. Periodic Checks.....	14
8. Psychological and Medical Criteria	15
9. Communication Regime	16
10. Flexibilisation of Labour Markets.....	19

1. Executive Summary

The revision of the Train Drivers' Directive (TDD) is a **decisive opportunity to remove barriers that still undermine the competitiveness of rail in Europe**. At a time when the EU is calling for a major shift to rail, the **regulatory framework must enable—not constrain—cross-border operations, workforce mobility, and innovation while improving the intermodal competitiveness of rail**.

CER supports a **targeted and future-proof revision** focused on simplification, digitalisation, and operational flexibility. The objective must be clear: **make rail more efficient, more attractive, and more competitive—without adding new administrative burdens**.

A central priority is to **eliminate unnecessary complexity**. The revision should avoid duplication with other EU legislation, notably OPE TSI. Instead, better implementation should be achieved through **practical guidance and harmonised interpretation**, while preserving the flexibility needed to reflect national operational realities.

To unlock the full potential of cross-border rail, the Revision of the Directive must address **persistent operational barriers**, particularly in the areas of language and certification. CER calls for **pragmatic, sector-specific solutions**, including the use of railway terminology, digital tools, and flexible arrangements for border sections, while maintaining safety at all times.

CER proposes a **modernised, modular certification system** that distinguishes clearly between the European interoperability part, a part related to the driver's area of operation and a company-specific part. This approach would facilitate driver mobility and interoperability while ensuring that railway undertakings retain responsibility for operational knowledge and safety-critical processes. Any reform must avoid generating additional costs or administrative burdens for the sector.

Digitalisation is a key enabler of simplification and efficiency. CER strongly supports the full digitalisation of licences and complementary certificates, combined with a secure European register. This will allow real-time verification of competences, reduce costs, and significantly facilitate cross-border operations and workforce mobility.

Addressing the **growing shortage of train drivers** is equally critical. The current framework still limits the effective recognition of qualifications across Member States. CER therefore calls for **full mutual recognition of licences and certificates**, supported by harmonised standards and digital tools, to enable a truly European labour market for train drivers. CER proposes moreover a **refresh of the medical and psychological criteria** in order to promote mutual recognition of aptitude assessments.

Looking ahead, the revision should also remain **open to technological developments**, including automation (ATO). At this stage, CER supports a cautious, evidence-based approach, avoiding premature regulation while ensuring that future needs can be addressed when technologies mature.

Finally, the Revision must reflect **operational realities** by allowing targeted exemptions for specific activities such as training, maintenance, and exceptional operations, and by clearly distinguishing between infrastructure knowledge and route knowledge.

CER's message is clear: the revised Directive must simplify rules, enable cross-border rail, and support a modern, digital and competitive railway sector.

2. Introduction

CER provides this Position Paper to give input to the Revision of the Train Drivers' Directive. **CER welcomes the Revision launched by the European Commission** and would like to take the opportunity to provide up-to-date suggestions for **making the text future-proof** and **increasing its value for the rail sector**. CER members have decided to **focus on the following topics**: the certification scheme, the use of ATO, the structure of the certification model and exemptions from this model, digitalisation, periodic checks, common medical and psychological criteria, the communication regime and the flexibilisation of labour markets.

CER considers the **entire railway system** and would like to stress the need to take into account the **interdependence** between the Revision of the Train Drivers' Directive and other regulatory initiatives that touch on the same points such as **OPE TSI**.

CER expects that the Revision will focus in particular on the **digitalisation of processes** and the **elimination of weak points** in the current Directive. The Revision should not create additional bureaucratic burdens for the railway sector nor double regulation of content in TDD and OPE TSI. The common European objective should be to make rail simpler, more attractive, more competitive and to increase the modal share of rail. Proportionality, the reduction of administrative burdens and the preservation of national flexibility in order to ensure security without competitive disadvantages should be key priorities in the Revision process.

The Revision has to be seen in the context of a **railway market** where an increasing part of passenger traffic and more than 50% of EU rail freight traffic is cross-border. Rail freight is particularly relevant on long distances and therefore necessarily has to cross European borders. A European High Speed Network connecting capitals and major cities – promoted by the EC and strongly supported by CER – will also be operated across national borders.

At the same time, there are also **specific movements by the infrastructure manager** for the purposes of **construction and maintenance of the rail network** and for the **provision of emergency technology** (see recital No 6 of EU Recommendation 2019/780¹), which usually run purely on the national level and should therefore be exempted from the Directive.

Today, as an example, the requirement to **train a driver in three EU languages** (Dutch, French, German) to run a freight train from Antwerp to Duisburg (less than 200 km) or to **change drivers at every linguistic border** already weakens the competitiveness of rail freight compared to road transport. CER considers that the solution to address this problem is not the use of English as a single language for railway operations in Europe, but rather the **deployment of automatic translation tools** where these are appropriate, starting with Border Sections whilst maintaining safety at all times.

From CER perspective, a **general requirement to use English as single operating language would not be a viable solution**. While training a limited number of drivers to operate in several national languages is already demanding, requiring all train drivers and traffic management staff across the network to acquire and maintain operational proficiency in English would represent a far greater and **disproportionate effort**.

¹ "Within the framework of their activities, infrastructure managers may need to use trains, infrastructure inspection vehicles, on-track machines or other special vehicles for different purposes, such as the transport of materials or staff for construction or infrastructure maintenance, the maintenance of its infrastructure assets or the management of emergency situations. In such cases, the infrastructure manager should be deemed to operate in the capacity of a railway undertaking under its safety management system and safety authorisation without the need to apply for a separate single safety certificate, irrespective of whether it owns the vehicles or not."

For these reasons, the use of automatic translation tools, where appropriate (notably on border sections), should be considered as a more pragmatic and scalable solution. The global research on and development of IT translation tools is very dynamic and impressively fast and rail should be able to benefit from their progress.

Given the diversity of operational contexts across Member States, from network characteristics to training practices and infrastructure management, it is essential to maintain a degree of **flexibility at national level**. The European level should provide the necessary legal framework to harmonise key requirements for train drivers while allowing Member States and railway undertakings to adapt implementation to their specific operational realities.

3. Certification Scheme

CER is in favour of a **modular** train driver’s certificate (Constituents 1 to 3) that paves the way to **facilitate the movement** of train drivers and will support the improvement of the market position of railways by more **efficiency**.

For CER it is important to stress that the related certification process **does not induce additional costs** of any sort for railway companies.

The table below presents CER’s proposal regarding the structure of the train driver’s certificate and the bodies delivering the training and organising the assessment of qualifications.

Train Drivers’ Certificate – Structure	Training delivered by	Examination/ Assessment(s) carried out by
<p>Constituent 1 as part of the licence / complementary certificates “European interoperability part” – All harmonised European elements of the Union’s railway system (medical and psychological requirements, ERTMS (if available & needed)), harmonised European rolling stock (if available), Drivers category (A, B), Native language or similar language proficiency (indicative & non exhaustive list)</p>	<p>Person / entity recognised by the NSA of any MS (cross-acceptance)</p>	<p>Person / entity recognised by the NSA of any MS (cross-acceptance)</p>
<p>Constituent 2 as part of the complementary certificate - Professional knowledge of the driver’s operation area, needed for the initial training of the train driver for his/her first job or complementary training to extend his/her competences:</p> <ul style="list-style-type: none"> - Knowledge of the infrastructure system (Operational principles, ATP Systems, Principles of the “Signalling system”) - Working language(s) for communication with the IM other than the one indicated in constituent 1. - <i>(indicative & non exhaustive list)</i> 	<p>Person / entity recognised by the NSA where the area(s) of operation is/are located</p>	<p>Person / entity recognised by the NSA where the area(s) of operation is/are located</p>

<p>Constituent 3 “Company part” - As part of the complementary certificate in the responsibility of the RU in the framework of the competence management system (part of the SMS) supervised by the NSA:</p> <p>Company: internal processes linked to the SMS</p> <p>Rolling Stock</p> <p>Route knowledge for the safe operation of trains (concept fully under the responsibility of the RU (described in the RU’s SMS) and not in the scope of the TDD) – Route book</p> <p>Drivers category</p>	<p>Initial training provided by the RU or IM who employs or contracts the driver-> Each RU and IM shall set up its own procedures for acquiring route knowledge, as part of its safety management system</p>	<p>Assessment carried out by the RU or IM who employs or contracts the driver -> Each RU and IM shall set up its own procedures for assessing route knowledge, as part of its safety management system</p>
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The tasks of train drivers significantly vary depending on whether they are performed for **railway undertakings** or **infrastructure managers**. These differences are reflected in current operational practices, where **training and skills requirements are tailored to the specific operational context**. Minding the above, the requirements for the certification process should therefore continue to take these distinctions into account and be adjustable in terms of **scope of training** and **relevant skills**.

Specific examples for operational conditions include moving **railway construction or maintenance equipment**, such as a tamping machine, that has to operate in a large territory. It is very difficult to find a driver (authorized for this engine) with complete infrastructure knowledge for all the lines which the equipment will be used on. In this case, the driver must be piloted by another person having certified proof of the necessary competence. Similarly, this applies to the **delivery or demonstration of a new train or new traction-unit** (locomotive or railway work machine) where the drivers trained for the equipment will not have full infrastructure knowledge, and the operation must be supervised by a certified person who has already acquired the necessary knowledge of the vehicle. By certified person CER understands a person that has the necessary skills / competences required (infrastructure knowledge / vehicle knowledge) for the specific case. CER is aware of the difference in national operational practice and suggests using the term infrastructure knowledge as generic term which includes the route knowledge. For further explanations on this point see below.

Exemptions from Community Certification Model

CER believes in the following **Exemptions from Community Certification Model** as an amendment of art. 4 (2)) of the current TDD and based on the Advice given by ERA to the European Commission (ERA/ADV/2014-17):

- The requirement to hold a certificate shall not apply for the **purposes of training and examining drivers** provided that another train driver who possesses a valid certificate for the infrastructure and rolling stock concerned accompanies the driver who is being trained during driving. The train driver holding the valid certificate is the driver in charge of the train.

- The requirement to hold a certificate for a specific part of infrastructure shall not apply provided that another person who possesses a valid **certificate for the infrastructure concerned** accompanies the driver during driving.
- Trains may be driven by drivers without a valid certificate for the infrastructure / the specific route knowledge, should the **operational rules of the Infrastructure Manager for the driver's operation area in question allow this**.
- For the purpose of operating **historical rolling stock**, Member States may adopt provisions allowing that under defined conditions a train driver can be exempted from the obligation to hold a valid certification for the rolling stock concerned. Respective rules and procedures may be established in consultation with the infrastructure manager. These rules and procedures shall be implemented into the safety management system of the railway undertaking or infrastructure manager using the driver concerned. The combination with exemptions provided for in paragraph 2 shall be avoided outside subordinate parts of the route travelled.

CER would like to stress that there are fundamental differences between **infrastructure knowledge** and **route knowledge** between Member States. While infrastructure knowledge consists of the understanding of operational principles related to the interaction of the train driver with the signal box, ATP Systems and signalling systems, route knowledge relates to the familiarity with a specific line and its particularities such as irregular placing of lineside signals or places with short braking distances. (see *ADVICE ERA/ADV/2014-17, Annex 3, Art. 5.2.3, Case study, p. 59 ff.*). CER considers that only infrastructure knowledge should be traced in the certificate (Constituent 2) while route knowledge should be left to the Safety Management System of the Railway Undertaking (Constituent 3). Therefore, it should be secured that the new legal text does not create any additional demands to Railway Undertakings and Infrastructure Managers. Remark: TSI OPE, Appendix I, 1. k) allows national rules concerning route knowledge.

CER proposes to add a definition for **historical rolling stock** to the Directive based on the definition currently used in Switzerland: *"The term 'historical rolling stock' refers to older rolling stock that is used primarily for the purpose of keeping legacy technologies operational for the public, offering museum and history experience with a focus on the ride experience and not the transfer of people or goods from A to B. This includes rolling stock that has largely been withdrawn from regular service. These may be original or converted vehicles that were typically put into service 30 years ago or more."*

4. ATO Readiness

4.1. Presentation of automated driving

Automatic train operation (ATO) is a method of operation in which different train operation tasks are automated. ATO should be distinguished from **Remote Train Operation** (RTO) in which the train is controlled at distance from an operation centre.

ATO is a subsystem within the **Automatic Train Protection** (ATP), which performs some or all of functions like programmed stopping, speed adjusting, door operation, and similar otherwise assigned to the train operator.

The degree of automation is indicated by the **Grade of Automation** (GoA), up to GoA4 in which the train is automatically controlled **without any staff on board**. On most systems for lower grades of automation up to GoA2, there is a driver present to mitigate risks associated with failures or emergencies.

Grade of automation	Train operation	Description and examples
GoA0	On-sight	No automation
GoA1	Manual	A <u>train driver</u> controls starting and stopping, operation of doors and handling of emergencies or sudden diversions. Overseen signals due to human errors are safeguarded by <u>train protection systems</u> as for example <u>ETCS L1</u> or national <u>Class B systems</u> .
GoA2	Semi-automatic (STO)	Starting and stopping are automated using advanced <u>train protection systems</u> as for example <u>ETCS L2</u> . Many ATO systems are GoA2. In this system, trains run automatically from station to station, but a driver is in the cab, with responsibility for door closing, obstacle detection on the track in front of the train and handling of emergency situations.
GoA3	Driverless (DTO)	Starting and stopping are automated, but a train attendant operates the doors and drives the train in case of emergencies. In this system, trains run automatically from station to station, but a staff member is always in the train, with responsibility for handling of emergency situations.
GoA4	Unattended (UTO)	Starting, stopping and operation of doors are all fully automated without any on-train staff. In this system, trains can operate automatically, including door closing, obstacle detection and emergency situations. On-board staff may be provided for other purposes, e.g. customer service, but are not required for safe operation. Controls are often provided to drive the train manually in the event of a computer failure.

4.2. Possible links between ATO and TDD

The objective of Train Drivers' Directive is to lay down the conditions and procedures for the certification of train drivers operating locomotives and trains on the European railway. It specifies the tasks for which the competent authorities of the Member States, train drivers and other stakeholders in the sector, in particular railway undertakings, infrastructure managers and training centres, are responsible. It seems there is, at first sight, no relation between TDD and ATO.

However, as the subject is now on the table and the European Commission has the intention to set up a **framework that will be stable for 10-15 years**, CER considers it interesting to scan the current Directive to check if some parts of the document could be improved with regards to ATO.

Here are the main points of this review:

Chapter II: Certification of drivers

In GoA4, there is no driver in the cab. In case of failure, the operational decisions are taken from the remote-control centre. This raises the question of the qualification and training of the staff taking decisions in the control centre and of the staff that would take over in emergency situations.

Given the novelty, diversity, and rapid evolution of GO4 ATO and remote operation models, a study-first approach is the most proportionate and future-proof response. It avoids prematurely hard-coding requirements into the Train Drivers' Directive that may not be technically justified, while ensuring that any future regulatory action is evidence-based, harmonised, and aligned with the realities of automated railway operation.

Chapter III: Conditions for obtaining the licence and the certificate

From our point of view, the introduction of ATO does not change the conditions to fulfil if the TDD continues to apply only where a driver has to be present in the cabin.

Chapter IV: Procedure for obtaining the licence and the certificate

From our point of view, the introduction of ATO does not change the procedure if no new procedures are proposed due to the deployment of RTO.

Chapter V: Tasks and decisions of the competent authority

From our point of view, the introduction of ATO does not change the tasks and decisions.

Chapter VI: Training and examination of drivers

As the general and specific professional knowledge are detailed in the Annexes IV, V and VI, the relevant remarks will be made later in the analysis.

Chapters VII, VIII, IX and X

From our point of view, the introduction of ATO does not change the content of these chapters.

ANNEX I: COMMUNITY MODEL LICENCE AND HARMONISED COMPLEMENTARY CERTIFICATE

From our point of view, the introduction of ATO does not change the content of this annex.

ANNEX II: MEDICAL REQUIREMENTS

There is no reason to modify the medical requirements in the light of ATO. If the control-centre staff (in GoA4) will take over additional tasks, it will become necessary to review the medical requirements according to the new job profile.

ANNEX III: TRAINING METHOD

Further study could be interested as to check if the introduction of ATO could modify this annex. Particular attention should be paid to the fact that automatic driving (GoA2 and GoA3) creates the risk that drivers lose their driving practice and skills as they are no longer using them on a daily basis. Railway undertakings may need to increase the use of simulator-based training – already referred to in Annex III - in both initial and reskilling programmes for drivers operating on automatic or semiautomatic train control systems. This should be addressed by the individual railway undertakings in their safety management systems.

ANNEX IV: GENERAL PROFESSIONAL KNOWLEDGE AND REQUIREMENTS REGARDING THE LICENCE

From our point of view, the introduction of ATO does not change the content of this annex.

ANNEX V: PROFESSIONAL KNOWLEDGE OF ROLLING STOCK AND REQUIREMENTS REGARDING THE CERTIFICATE

There should be some amendments to this annex regarding ATO. A sentence could be introduced in the points 5, 6 or 7, as to indicate that the driver should monitor, when the train is running in GoA2, the environment as to be able to take back the full control of the train by disengaging ATO.

ANNEX VI: PROFESSIONAL KNOWLEDGE OF INFRASTRUCTURE AND REQUIREMENTS REGARDING THE CERTIFICATE

The annex should be amended in point 3, by adding after the sixth bullet point "the ATO equipment".

ANNEX VII: FREQUENCY OF EXAMINATIONS

From our point of view, the introduction of ATO does not change the content of this annex.

5. Driving Licence and Complementary Certificates

5.1. Overall position

The **driving licence** and **complementary certificates** cover different requirements with regard to **knowledge** and **professional qualifications** and have different responsibilities.

This is generally regulated with regard to the driver's licence (e.g. minimum age and education; psychological / physical fitness) and the **responsibility lies with the relevant NSA**. The complementary certificates are individual (competence of: rolling stock, infrastructure, language and categories) and are the **responsibility of the respective railway undertaking**.

This results in **different processes**. Parallel procedures, which represent unnecessary bureaucratic hurdles, should be avoided for the processes of both driving licences and complementary certificates.

Therefore, the **instruments should also remain different**. CER therefore objects to a merging of the driver's licence and the complementary certificates.

The **complementary certificate must remain with the issuing railway undertaking** rather than the driver, for reasons of cost and liability.

5.2. Digitalisation of Train Driver Licensing and Complementary Certificates

In the context of harmonisation efforts, **CER supports higher-level digital developments**. **CER calls for an affordable, more sustainable and practicable technical solution that displays the content in a simple way and can be viewed quickly**. This would make it easier to update, read, and share information and map content in more detail and would represent a simplification in national and interoperable traffic.

CER supports the advancement of **digital solutions and approaches**, whereby the **entire certification process** — covering the train driver's licence and complementary certificates — should be digitalised. **Functional requirements** for digital systems should be defined in the Directive, while **leaving the choice of technologies open**, ensuring affordable, sustainable and practical solutions.

Digitalisation offers **several additional advantages**:

- It enables a **significant reduction of cost** as printouts of the complimentary certificates will no longer be required.
- It enables a significantly **faster issuance of the licence**, allowing for earlier and more efficient integration of trainees into practical training, particularly regarding the specific professional competences defined in Annexes V and VI of Directive 2007/59.
- When a train driver moves to another Member State, their **licence can be transferred more easily** to the NSA of the receiving Member State. The specific case of frontier workers, living in one Member State and working in another could also be better addressed by digitally transferring the administration of the licences from one NSA to another NSA.

- Drivers are exclusively in charge for certified companies (RUs and IMs) so digitalisation would enable to **check the valid competences** of a driver in real time by electronic means avoiding time offset by bureaucratic processes.

CER supports the establishment of a **secure central register** (e.g. a data warehouse) containing train drivers' licences, complementary certificates (as described in Chapter 3 – Certification Scheme), and medical and psychological fitness certificates. Such a system would greatly **facilitate the processes within Railway Undertakings and Infrastructure Managers** as well as the **supervision tasks of NSAs**.

The use of **electronic formats** to demonstrate train driver certification should be anchored in the Directive, with an optional **exemption for yellow fleet craftsmen** who hold a train driver's licence.

A **digital storage medium** — such as a card similar to a credit card or a QRcode system linked to a database — should provide access to all authorisations (licence and complementary certificates), **updated daily** by the railway undertaking. For safety reasons, there should be **no technical coupling between digital databases, the train drivers' card and the vehicles**. The rail sector should benefit from the same future developments as other transport sectors, e. g. road traffic where EU Commission has already announced an initiative toward a digitalised driver license.

In any further technical development, particular attention must be paid to ensuring **compliance with data protection rules in all Member States**, including responsibilities of authorities, access rights and **cybersecurity requirements**. Moreover, the chosen digital solution must be **usable offline** so as not to complicate checks in areas not covered by internet or in case of interruptions of data connection or power supply and must comply with access restrictions (only available to NSAs in their supervisory role).

6. Harmonisation of training and certification requirements

6.1. Overall position

The current **high standard of training must be maintained** – this is related to safety in operation. Training is strongly characterised by the national circumstances. It is often tailored specifically to meet the needs of **demanding and diverse operations**.

Therefore, there are **limited possibilities for harmonisation in terms of training content**, but also in terms of implementation. Under these conditions, harmonisation with other training courses is hardly possible and would result in considerable additional costs for the companies, while also bringing little added value. The existing practice should be maintained.

However, it seems appropriate to **harmonise the procedures for obtaining the driving licence and complementary certificates** based on the acquisition of certain professional knowledge and skills, rather than making their acquisition conditional on a given duration of compulsory training. The **focus should be on acquiring competences and skills rather than on a mandatory number of hours of training**. The duration of training courses is not per-se an indication for the quality of the training.

The **national framework must be maintained**. We do not reject European initiatives but rather support them under the conditions mentioned. A mutual recognition of skills and certificates can be achieved through safety management, even without harmonisation. At the European level, harmonisation of training should be based on the principle that obtaining the licence is based on the acquisition of competencies and not on a mandatory number of hours/days of training.

Different forms/mechanisms/procedures should continue to be possible with regard to the acquisition and periodic review of complementary certificates.

Finally, competencies, training and knowledge naturally need to adapt to technological progress and aim at increasing safety.

7. Periodic Checks

CER fully acknowledges that **assessments need to be carried out systematically and periodically**. The periodic checks shall fit into the overall business process of the railway undertakings. Railway undertakings are fully capable of designing an effective system for periodic checks. For some RUs, conducting continuous assessment is the best option to detect promptly any need of knowledge update and therefore ensure an adequate level of safety. To clarify this point, it should be specified in the Revision that the involvement of NSAs is not required for periodic checks.

Based on the points mentioned above, CER makes the following proposals to amend the Annexe of the TDD on periodic checks:

- In order for a certificate to remain valid, its holder shall undergo **periodic assessments**. The **conditions and the frequency of those assessments shall be determined by the railway undertaking or the infrastructure manager** employing or contracting the driver in accordance with its own safety management system, and respect the minimum frequencies set out in the TDD. The railway undertaking or the infrastructure manager employing or contracting the driver shall be able to decide to conduct those assessments, **in accordance with its own safety management system (SMS)**, through **periodic assessments and/or continuous assessment and/or other means**.
- For each of these assessments a **digital registration** shall be possible in accordance with the SMS of the railway undertaking or the infrastructure manager.

Regarding the **minimum frequency of assessments**, CER makes the following recommendations:

- **linguistic knowledge** (only for the languages other than mentioned on the licence): every three years or after any absence of more than one year;
- **knowledge of the operational rules of the infrastructure manager**: every three years;
- **route knowledge** (if applicable): only after any absence of more than three years of the relevant route;
- **knowledge of rolling stock**: every three years if the specific vehicle series has not been driven in the meantime.

8. Psychological and Medical Criteria

The aim of the current revision of medical and psychological requirements is to achieve **greater standardisation of medical and psychological examination and assessment criteria** in order to promote mutual recognition of aptitude assessments and **encourage the cross-border deployment and mobility of train drivers**.

1. Medical doctors' requirements

The medical examination of the candidate driver's physical fitness shall be conducted by an **accredited/approved or recognized medical doctor**. To be accredited/approved, the medical doctor shall have:

- knowledge of national and European regulations relating to safety fitness,
- general knowledge of the railway sector, the conditions of the train driver's job, and the associated risks

Each country shall be able to specify the method of accreditation or certification of medical doctors. However, medical doctors' accreditation/certification **shall guarantee impartiality, equal treatment of candidates/drivers, and control of safety risks**. Medical decisions shall be based on validated medical protocols, internal guidelines, and reference standards.

2. Psychologist's requirements

Psychological examinations have the aim to ensure psychological fitness of the staff to perform their work over time, particularly regarding factors related to age and mental health. Psychological evaluations should only be conducted by **qualified professionals**, specifically individuals holding a Master's degree in Psychology and following the applicable national rules for professional psychologists. These professionals must have knowledge of the operational railway environments. With a specific training the psychologist can acquire knowledge about the operational railway environment, after being recruited. For professionals only administering tests, a master's degree is not necessary, but training in psychometrics and following national rules.

3. European database

Psychological and medical evaluations and certificates for medical and psychological fitness shall be compiled in a database, specific features of which shall be detailed later.

9. Communication Regime

In the railway sector, **safety** is a very important factor. **Sufficient language** skills are elementary to ensure safe communication between the train driver and the staff of the infrastructure manager in regular, disruptive and emergency situations². Safe operations must also be guaranteed in interoperable traffic. Therefore, a corresponding **standard of language and a communication level in interoperable rail traffic** must be ensured, taking into account the fact that this represents additional hurdles and high costs (financial and personnel-related) for the international railway sector and can be a disadvantage compared to other sectors.

In case of **disruptions on the railway network** and if alternative routes through areas with another language regime (Neighbouring States / other language area within a State with several official languages) are used, train drivers must have the **specific language skills** required for the other Member State. This is a **challenge for a flexible adjustment of traffic flows**.

The rail sector is currently **facing a shortage of train drivers**. In addition to this, the requirement of the B1 language makes recruitment procedures for train drivers more difficult as they do not necessarily focus on language skills. The main focus is to hire technicians, rather than language professionals. CER opposes a switch to **English as a single or additional common European operational language for railways**, which would raise several important issues for the railway system.

- On **safety** first: the likelihood of **detecting misunderstandings** is much higher when at least one of the speakers is a native speaker. Standardised procedures and phrases thanks to the European harmonised rules could help to address this risk.
- On **human resources management**: not only train drivers would be affected, but also shunters, traffic managers, the staff of the infrastructure manager, especially those responsible for safety-related activities and administrative staff (e.g. those who create rule-books and training documents). Training of all the targeted staff is expected to be more costly compared to the advantages that it will bring, according to estimates previously provided.

Moreover, in case of establishing English as operational language, already **existing staff** would need a massive (re)training on language skills in English and a regular refresh course - worsening the shortage problem of staff. Rules and **training documents** for train operations in the different countries (i.e. signalling system, operational rules) would still remain in the original national language.

As a general rule, for railway communication between RU and IM the requirement of B1 applies for spoken and written communication based on Directive 2007/59, Article 12: **Linguistic Knowledge**: "The linguistic knowledge criterion referred to in Annex VI shall

² Cf. Annexe VI, 8. Point 1 of the amended Directive 2007/59/EC: "Drivers who have to communicate with the infrastructure manager on critical safety issues must have the necessary language skills in at least one of the languages indicated by the infrastructure manager concerned"

be met for the infrastructure for which the certificate is being applied” - Annexe VI: Point 8: Language as amended by Commission Regulation (EU) 2019/554¹. If the existing level of safety is fully maintained, **exemptions can be made to the general rule.**

Digitalisation is driving transformation in railways with the **deployment of mobile devices for train drivers**, opening up **new opportunities**. Furthermore, **flexible solutions** are needed for smooth Cross-Border Sections in the rail network where local arrangements have emerged in the past. For Cross-Border Sections, a **specific language arrangement** is a possible solution on a case-by-case basis. It needs to be laid down in the respective network statements of the Infrastructure Manager. However, today the required language level is B1.

CER is in favour of differentiating the respective language competencies (understanding, speaking, writing), as well as standardising and **reducing the linguistic complexity of the regulations for train drivers**. The focus should be put on a **railway specific terminology** rather than on a broad knowledge of the language. “Railway specific knowledge” rather than “B1 literacy”. A **glossary** of railway terminology could be used as a basis for predefined messages or automatic translation by software in order to reduce potential errors by artificial intelligence. UIC or ERA could provide the appropriate **glossary of railway terminology**.

For safety reasons, the objective of CER is under no circumstances in favour of authorising train drivers to operate trains in other EU Member States without any knowledge of the local language. The objective is to **adjust the requirements to railway-specific needs**. As an example, Switzerland uses today A1 (CEFR) + knowledge of railway vocabulary for national traffics. All Swiss regulations and all relevant forms for signaller - driver communication are **consistently published trilingual** and the specific railway vocabulary is defined for each professional category. This could serve as a model for example for Belgium that also has different languages within one country.

CER members have started pilot projects with alternative means of communication such as predefined messages and automatic translation tools. Insights from these projects should be used to improve the regulatory framework of the communication regime.

Summary of CER Requests regarding the Communication Regime

- Exception on the general B1 requirement
 - For **countries with more than one official EU language** (domestic railway services): EU language level "A1+" (A1+ = A1 + railway-specific terminology (e.g. ERA glossary) and/or "supporting means")
 - For **Cross-Border Sections**: The existing language regime continues to apply (based on bilateral state agreements or (mutual) NSA cross border agreements). If mutually agreed (in consultation with the relevant stakeholders in the railway sector), a lower language level together with railway-specific terminology (e.g. ERA glossary for railway vocabulary) and/or "supporting means" can be applied
- **Pilot projects** benefiting from the legal basis created by the 2019 amendment of the Train Drivers' Directive should be pushed ahead and supported.
- The European Commission should provide **co-funding for these language pilot projects via Interreg funds or Innovation funding, to compensate the investment in these innovative solutions.**
- Based on the evidence of these projects, the **language requirements should be specified on a railway specific standard.**
- ERA / UIC should continue their work on a **database / glossary of railway specific terms in all EU languages.**
- The focus of the Directive 2007/59 is on the certification of train drivers. Rules for the language level of operational staff should be covered in TSI OPE.
- Overall, the railway sector needs **harmonised simplification of operational processes** without creating additional administrative and financial hurdles for staff and companies.

10. Flexibilisation of Labour Markets

The **EU strategy for sustainable and smart mobility** sets ambitious goals for rail: doubling high-speed rail traffic by 2030 and tripling it by 2050. For freight traffic, these targets are: a 50% increase by 2030 and doubling the volume by 2050. The **rail freight transport in Europe is largely international**, but its competitiveness compared to other modes of transport, such as road transport, is limited by cross-border barriers in train drivers' mobility. The rail passenger transport in Europe, on the other hand, remains largely domestic, but the interest of Member States and the public in expanding long-distance cross-border services, including night connections, is growing. To achieve the strategy's ambitious goals and meet public demand, an increasing number of **mobile drivers** will be necessary.

The EC's public consultation on the implementation of the TDD by Member States indicates that the **regulations have only partially facilitated the mobility/transfer of train drivers between employers** (railway undertakings/infrastructure managers), in spite of the fact that the license is the personal property of the driver, not the employer. **During its implementation, despite the document indicating that a license issued in one Member State is valid throughout the EU, some Member States require additional approval from the issuing authority.** The lack of a geographical scope of validity of accreditations issued to persons or bodies and their recognition in Article 20 (Accreditation and Recognition) leads to **differences in interpretation between Member States**; some recognise accreditations issued in another Member State, while in others, accredited persons or bodies must submit a new application.

To increase train drivers' mobility and to eliminate administrative barriers, moreover reducing the costs, it seems justified to **recognize the validity of the certification of train drivers throughout the EU based on a central register as well as harmonised standards and criteria as outlined in Chapter 6 of this Position Paper.** This will allow railway undertakings to **recognize the qualifications acquired by train drivers in another Member State**, based on the regulations in force therein, including medical certificates confirming compliance with the medical requirements necessary to obtain or extend the validity of a train driving license, issued by a medical doctor accredited in another European Union Member State and managed in a common database to ensure a transparent and harmonised way of recognition of qualifications across EU Member States.

About CER

The Community of European Railway and Infrastructure Companies (CER) brings together railway undertakings, their national associations as well as infrastructure managers and vehicle leasing companies. The diverse and comprehensive membership made up of long-established bodies, new entrants and both private and public enterprises, covers the large majority of the rail infrastructure network, rail freight business and 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 resilient, competitive, and sustainable transport system in Europe. For more information, visit www.cer.be or follow us on social media.

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