

Recommendation

on

Registration of rolling stock (ERA/REC/INT/01-2006)

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European Railway Agency
RECOMMENDATION ON REGISTRATION OF ROLLING STOCK
(ERA/REC/INT/01-2006)

THE DIRECTOR,

HAVING REGARD to the Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004 establishing a European Railway Agency¹,

HAVING REGARD to the Directives 96/48/EC on the interoperability of the trans-European high-speed rail system and 2001/16/EC on the interoperability of the trans-European conventional rail system both modified by Directive 2004/50 of the European Parliament and of the Council of 29 April 2004²,

HAVING REGARD to the Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on Community's railways and amending Council Directive 95/18 EC on the licensing of railway undertaking and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification³,

HAVING REGARD to the work programme 2005 adopted by the Administrative board on 21 December 2004,

Whereas:

- (1) Article 18 of Regulation (EC) No 881/2004 states that the Agency shall draw up and recommend to the Commission a standard format for the national vehicle register in accordance with Article 14 of Directives 96/48 EC and 2001/16 EC.
- (2) With regard to recital (18) of Regulation (EC) No 881/2004 registration is first and foremost an act of recognition of the capability of rolling stock to operate under specified conditions. The registration should be transparent and non-discriminatory and fall within the competence of the public authorities. The Agency should provide technical support in order to establish a system for registration.
- (3) According to Article 19 of Regulation (EC) No 881/2004 the Agency shall keep a public list of the following documents provided for by Directives 2001/16/EC and 96/48/EC:
 - (a) the "EC" declarations of verification of subsystems
 - (b) the "EC" declarations of conformity of constituents
 - (c) the authorisations for putting into service, including the corresponding registration numbers

¹ OJ L 164, 30.4.2004, p. 1

² OJ L 164, 30.4.2004, p. 114

³ OJ L 164, 30.4.2004, p. 44

- (d) the registers of infrastructure and rolling stock.
- (4) With regard to recital (14) of Directive 2004/50 it is necessary for safety reasons to require Member States to assign an identification code to each vehicle placed in service. The vehicle should then be entered in a national vehicle register. The registers must be open to consultation by all Member States and by certain Community economic players. The registers should be consistent as regards the data format. They should therefore be covered by common operational and technical specifications.
- (5) According to Article 14 of Directives 96/48/EC on the interoperability of the trans-European high-speed rail system and 2001/16/EC on the interoperability of the trans-European conventional rail system both modified by Directive 2004/50 where Member States authorise the placing in service of rolling stock, they shall be responsible for ensuring that an alphanumeric identification code is assigned to each vehicle. This code must be marked on each vehicle and be entered in a national vehicle register that meets the following criteria:

- (a) the register shall comply with the common specifications defined in paragraph 5;
- (b) the register shall be kept and updated by a body independent of any railway undertaking;
- (c) the register shall be accessible to the safety authorities and investigating bodies designated in Articles 16 and 21 of Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways (Railway Safety Directive)(8). It shall also be made accessible, in response to any legitimate request, to the regulatory bodies designated in Article 30 of Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (9), to the Agency, to the railway undertakings and to the infrastructure managers.

In case of rolling stock placed in service for the first time in a third country, Member States may accept vehicles clearly identified according to a different coding system. However, once a Member State has authorised the placing in service of such vehicles on its territory, it must be possible to retrieve the corresponding data, listed below in paragraph 5(c), (d) and (e), through the register.

5. The common specifications for the register shall be adopted in accordance with the procedure laid down in Article 21(2), on the basis of the draft specifications prepared by the Agency. These draft specifications shall include: content, data format, functional and technical architecture, operating mode, rules for data input and consultation. The register shall contain at least the following information:

- (a) references to the "EC" declaration of verification and the issuing body;
- (b) references to the register of rolling stock mentioned in Article 24;
- (c) identification of the owner of the vehicle or the lessee;
- (d) any restrictions on how the vehicle may be used;
- (e) safety-critical data relating to the maintenance schedule of the vehicle.
- (6) According to Article 16 of Directive 2004/49/EC

2. The safety authority shall be entrusted with at least the following tasks:

(a) authorising the bringing into service of the structural subsystems constituting the trans-European high-speed rail system in accordance with Article 14 of Directive 96/48/EC and checking that they are operated and maintained in accordance with the relevant essential requirements;

(b) authorising the bringing into service of the structural subsystems constituting the trans-European conventional rail system, in accordance with Article 14 of Directive 2001/16/EC and checking that they are operated and maintained in accordance with the relevant essential requirements...

(g) supervising that rolling stock is duly registered and that safety-related information in the national register, established in accordance with Article 14 of Directive 96/48/EC and of Directive 2001/16/EC, is accurate and kept up-to-date;

3. The tasks referred to in paragraph 2 may not be transferred or subcontracted to any infrastructure manager, railway undertaking or procurement entity.

HAS ADOPTED the following recommendation:

1. Registration of rolling stock should be performed under the responsibility of each Member State national safety authority. This task can be effected by another entity such as a registration provider but not a railway undertaking.
2. The registration process takes place once the rolling stock has been successfully authorised for putting into service. This process is described in section 6 of the final report of the Agency.
3. A standard form should be used for:
 - Application for vehicles registration
 - Confirmation of registration
 - Application for changing one or more registration item(s)
 - Confirmation of the change(s)

This registration form is presented in Annex 5 of the final report of the Agency. The use of the electronic format is recommended.

According to Article 19(1) of Regulation (EC) No 881/2004 the Agency shall keep a public list of the authorisation for putting into service. The confirmation of registration should be considered as authorisation for putting into service and should be sent or made available to the Agency by the national safety authority.

4. In accordance with recital (14) of Directive 2004/50, each Member State must leave the registers opened to consultation by all Member States and by certain Community economic players. The registers should be consistent as regards the data format. They should therefore be covered by common operational and technical specifications. The functional specification described in Section 5 of the final report of the Agency requires for each Member State to establish an IT based National Vehicle Register (NVR) which should be linked to a Virtual Vehicle Register (VVR) managed by the Agency. This

functional architecture is the best way for the Member States and the Agency to comply with Article 19 of Regulation (EC) No 881/2004.

5. According to item N°8 of the minutes of the Article 21 Committee meeting N° 40 on scope extension to existing vehicles, all existing vehicles should be transferred in the National Vehicle Register of the Member State where they were formerly registered. The details of this transfer are given in Chapter 7 of the final report.
6. This recommendation is addressed to the Commission of the European Communities.

(signed)

Valenciennes, 31/07/2006

Marcel VERSLYPE
Executive Director

Final report on Registration of rolling stock