



**COUNCIL OF
THE EUROPEAN UNION**

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INFORMATION NOTE

from: Presidency
to: Council
Subject: Recent Transport accidents

Delegations will find annexed a note from the Commission on the above-mentioned subject, which will be dealt with under "any other business" at the meeting of the Council (Transport, Telecommunications and Energy) on 10 October 2013.

Information Note from the European Commission
Recent major accidents in rail and road (coach) transport

The major accidents this summer, which occurred in the EU or involved vehicles registered in the EU, serve as a tragic reminder that safety cannot be taken for granted. Two accidents involved passenger rail services in France and in Spain, one involved a tourist coach in Italy and another one a Romanian tourist coach travelling in Montenegro. These serious accidents have caused 143 fatalities and many more injured passengers.

This note explains the measures already in the legislative process related to increasing rail and road safety and highlights the necessary implementation measures.

Overall, the EU has a very good transport safety record. Collective transport (air, rail, bus and coach) is statistically much safer than individual transport. EU is strongly involved in promoting safety in all modes of transport, both through legislation, research, and infrastructure investments.

Firm conclusions about the causes or possible follow up actions of these tragic accidents will only be possible once the results of the national investigations become available. Since transport sector is constantly evolving, work has to continue to reduce even further the risk of failure and error.

The EU should continue to invest in developing all aspects of accident prevention. This includes appropriate technology and infrastructure; professional standards and training requirements; harmonised technical and operational safety rules; the capacity to analyse, and learn from, safety related occurrences; and, finally, sufficient resources for safety oversight at national and EU level in all modes of transport.

Should the on-going investigations into the recent major accidents reveal a need for further action at EU level, the Commission will urgently consider putting forward initiatives. Transport safety will have to remain an EU priority that requires constant review and cooperation among relevant authorities.

Rail safety

The Commission has identified several shortcomings in the current system of safety certification and oversight in place in the rail sector, in particular a lack of independence and resources in national safety authorities.

With the recast of the Railway Safety Directive¹ proposed by the Commission in January as part of the 4th railway package, the **European Railway Agency (ERA)** would issue single European safety certificates for railway undertakings, in cooperation with national safety authorities. ERA could also perform audits and inspections. The legislative proposal that is to repeal and replace the ERA regulation², to be discussed in the preparatory bodies of the Council in view of the Transport Council meeting in December, proposes extending the tasks of ERA to the monitoring of the activity, organization and performance of **national investigation bodies**.

In addition, the recast of the Railway Interoperability Directive³ is aimed at reducing costs and delays in the process of authorisation of vehicles but also free resources in the **national safety authorities** for safety supervision.

¹ COM (2013) 31 of 30.1.2013

² COM (2013) 27 of 30.1.2013

³ COM (2013) 30 of 30.1.2013

The **European Rail Traffic Management System (ERTMS)** has been developed by the European rail industry, with active support from the Commission to ensure free circulation of trains, and interoperability, and a high level of safety. The Commission is determined to promote the deployment of ERTMS and intends to issue later this autumn a report on the state of play of ERTMS deployment. Moreover, in line with the revised TEN-T guidelines, the Commission will prepare for completing the ERTMS deployment on the core network by 2030 paying attention to the interface between ERTMS and non-ERTMS lines, including the junctions with urban networks and on local lines. Implementing measures are under preparation to ensure that infrastructure charges are differentiated to give incentives to equip trains with ERTMS. The European Network of Infrastructure Managers, proposed by the Commission in its 4th Railway Package, would also play a useful role in linking ERTMS deployment with key performance indicators of the infrastructure managers, such as safety.

Train driver training and competence is regulated at EU level⁴ which currently imposes obligations only on drivers operating in international rail transport. However, in the current Directive, as from October 2013 train drivers training and certification requirements will be extended to newly trained drivers active in national transport operations and in the same text from October 2018 to all train drivers in the EU.

Road Safety

Concerning the **technical safety of vehicles**, the "Roadworthiness package" proposed by the Commission in 2012 regarding roadworthiness tests⁵, roadside inspections of commercial vehicles⁶ and vehicle registration documents⁷, will strengthen current legislation, and is expected to save more than 1,200 lives a year, according to the Commission's impact assessment.

Road infrastructure plays an important role in preventing accidents and mitigating their consequences. The EU has adopted two directives seeking to improve the safety of the trans-European road infrastructure, one on minimum safety requirements for tunnels⁸ and another on road infrastructure safety management⁹. Earlier this year the Commission services have started preparations to launch studies on the application and adequateness of these directives. This work should help, *inter alia*, to identify areas where more common EU action is required.

As far as **driving time and rest periods** are concerned, EU law¹⁰ sets limits which drivers of buses, coaches and heavy goods vehicles have to respect. As proper enforcement of the rules is key, the new tachograph regulation, expected to enter into force by end-2013, will pave the way for the introduction of a new generation of more reliable and tamper-proof tachographs by 2018-19.

The recently amended **driving license directive**¹¹ introduces a harmonized driving license and minimum requirements for obtaining and keeping the licence. In addition, for professional truck and bus drivers there are EU standards¹² for new drivers and maintaining and enhancing capacities of existing drivers. A review is under way of the implementation of this Directive in view of technological developments and legislative changes since its adoption in 2003.

⁴ by Directive 2007/59/EC

⁵ COM (2012) 380 of 13.7.2012

⁶ COM (2012) 382 of 13.7.2012

⁷ COM (2012) 381 of 13.7.2012

⁸ Directive 2004/54/EC

⁹ Directive 2008/96/EC

¹⁰ Regulation (EC) No 561/2006

¹¹ Directive 2006/126/EC

¹² Directive 2003/59/EC

Finally, regarding **traffic related offences**, the new directive on cross-border enforcement¹³ will become effective on 7 November 2013 and should facilitate the exchange of information on drivers having committed an offence in a Member State different to the one where the vehicle is registered. Its success will depend on the timely establishment of data exchange by Member States.

¹³ Directive 2011/82/EU