

Measure 11: Third railway package: certification of train crews and trains on the Community rail network

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<p><i>Policy package:</i> 2D: Rail Safety, Quality and Environment</p>
<p><i>Measure 11:</i> Third railway package: certification of train crews and trains on the Community rail network</p>
<p><i>What is the problem being addressed ?</i> Following the latest developments regarding the opening of the rail market, the approach of interoperability, of the harmonisation of rail safety and the regulation on the establishment of the European Railway Agency, it has rapidly become clear that common rules should be adopted on certification of train drivers to facilitate their interoperability and improve management, in particular with the introduction of a European train driver's licence. This might eventually make easier to certify railway undertakings while maintaining a high level of safety and guaranteeing conditions for free movement of workers in the railway sector. This measure will contribute to the achievement of interoperability of rail services for both passengers and freight, as well as for improving the rail safety. The opening of the markets for rail transport will benefit also from the common rules adopted on the certification of train drivers.</p>
<p><i>Measure's costs and/or benefits:</i> The Commission proposal refers to the NERA study¹ where it has been estimated that the benefits associated with reducing the duration of railway undertaking certification for cross-border operations would reach €5.3 million per year. Procedures for issuing certificates to personnel are required in the process of certification. Benefits associated to greater mobility of the undertakings has been also estimated. Without the Directive, maintaining the existing situation would entail a loss of €66.5 million for the 25 States in the coming years. If the Directive is accepted, the Member States would not only avoid this loss but could also expect a benefit of €44 million for the first phase (certification of drivers operating on cross-border services) and €13 million for the second phase (certification for all drivers). In this estimation, the costs associated to the implementation of the Directive are expected to be €106 million for the first phase and €120 million for the second phase.</p>
<p><i>Legislative implementation at the EU level:</i> COM (2004) 142 final, Proposal for a Directive of the European Parliament and of the Council on the certification of train crews operating locomotives and trains on the Community's rail network. The COM (2004) 142 final has been published on 03.03.2004. The Directive shall be gradually implemented in stages as indicated by COM (2004) 142 final: a) During the first stage (2006-2008), Member States shall transpose this Directive into national law. The registers mentioned in Article 20 shall be set up. b) During the second stage (2008-2010), an initial group of drivers shall be certified in accordance with this Directive; the group in question shall consist of drivers assigned to cross-border services. At the end of this stage, the report produced by the Agency pursuant to Article 31 shall form the basis for a preliminary assessment. c) The third stage (2010-2015) shall involve the certification of the other drivers and other staff.</p>
<p><i>What are the objectives ?</i> The general objectives underlying the introduction of a European train driver's licence are:</p> <ul style="list-style-type: none">• to enhance the interoperability of train crews so as to stimulate international railway transport;• to maintain and raise the safety level and thus guarantee the quality of services provided by train drivers while ensuring and verifying the level of skills adapted to the European networks used;• to contribute to the efficiency of methods for managing interoperable train drivers for railways undertakings;• to reduce the risk of social dumping. <p>To introduce the new licensing system, the Directive follows the example of the agreement on the European driver's licence, in particular with regard to minimum requirements concerning the medical fitness and psychological suitability, obligatory periodic checks and the description of skills a driver must have. The train</p>

¹ NERA, *Study of the financing of and public budget contributions to railways*, Final Report for European Commission, DGTREN, January 2004, London

driver's certificate comprises two parts:

- the first part is the EU driver licence which reflects the minimum Community requirements valid throughout EU territory. It is issued by the authority and belongs to the driver.
- the second part is the harmonized complementary certificate which reflects the particular requirements of the service for which each driver is authorized, i.e. it has restricted validity. It is issued by the railway undertaking.

Therefore, whenever the licensing system will be at regime, objective achievement can be measured monitoring the number of "first part" certificates issued by the authorities and "second part" certificates issued by railways undertakings.

Interactions with other WP measures:

This measure will contribute to the realisation of the Measure 7 - Opening up the national and international freight markets, and of the Measure 9 - Updating the interoperability directives on high-speed and conventional railway networks.

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Output indicators:

The output of the *Third railway package: certification of train crews and trains on the Community rail network* measure can be monitored by assessing the following developments:

- number of drivers who have been licensed yearly (by authorities and railway undertakings, respectively for the certification of common and specific requirements);
- time needed at borders/terminals to change crews (a direct effect of the measure should be to reduce this time, thanks to the interoperability of crews on different national networks)

Outcome indicators: intermediate impacts on transport markets

The main impact of the issuing of the common licence for train drivers will be on the rail interoperability and safety. This measure will contribute to interoperability of driving personnel, thus increasing international rail traffic. Market indicators that quantify directly this measure are:

- Competitiveness. Rail undertakings will become more competitive, especially by facilitating the entry on the market of small and medium-size enterprises.
- Changes in profitability of business. The implementation of the proposal will cut the costs of the training and certification of drivers operating cross-border services, so that rail undertakings will have higher revenues. In particular, according to the 2002 Atkins Study, the training time saved in relation to the average time needed to train a driver has been estimated as at least 10%. In addition, the Directive should help to reduce the time which the railway undertaking needs to prepare the documentation and the time which the national safety authority needs to assess it.
- Employment levels. The quantity and quality of employment in the rail industry will increase, as railways will increase their market share in comparison with other modes.

Outcome indicators: final impacts on transport users and non users

An expected outcome of this measure is a reduction of rail safety risks. Indeed, railways undertakings are responsible for selecting and training their drivers, and this Directive imposes minimum conditions for driver selection and training as well as a driver certification process. The Directive will therefore help reduce the rail safety risks engendered by undertakings which do not apply the minimum conditions for staff selection and training or certain aspects of the certification process. It is no easy matter to quantify benefits of this kind. By way of example, the benefit evaluated by ECORYS in the current cost-benefit analysis, under Directive 2001/16/EC, for the implementation of ERTMS over a twenty-year period is € 6,5 million; this is a net present value (NPV) based on a reduction in the number of fatalities evaluated as 14. This value does not take into account the benefits derived from reducing the extent of serious injuries and material damage and is limited to the impact on the territory of the EU15.