

# **Austria**

## **2009 Annual Report by the National Safety Authority for reference year 2008**

in accordance with Article 18 of the Railway Safety Directive - Directive 2004/49/EC of 29 April 2004 (OJ L 164 of 30 April 2004), as amended by Directive 2008/110/EC of 16 December 2008 (OJ L 345 of 23 December 2008), transposed into national law in Section 13a of the Railways Act (*Eisenbahngesetz*) 1957 (Federal Law Gazette No 60/1957), as amended and promulgated in Federal Law Gazette I No 125/2006

Table of contents:

<b>A.1. Scope of the report</b> .....	1
<b>A.2. Summary</b> .....	1
<b>B. Introductory section</b> .....	4
1. Introduction to the report.....	4
2. Railway structure information.....	6
3. Summary – general trend analysis .....	6
<b>C. Organisation</b> .....	7
1. Introduction to the organisation of the Austrian rail-safety system .....	7
2. Organisational flow .....	10
<b>D. The development of railway safety</b> .....	11
1. Initiatives to maintain/improve safety performance .....	11
2. Detailed data trend analysis .....	17
3. Results of safety recommendations .....	18
<b>E. Important changes in legislation and regulation</b> .....	18
<b>F. The development of safety certification and authorisation</b> .....	19
1. National legislation – starting dates – availability .....	19
2. Numerical data .....	21
3. Procedural aspects.....	21
<b>G. Supervision of Railway Undertakings and Infrastructure Managers</b> .....	26
1. Description of the supervision of Railway Undertakings and Infrastructure Managers ..	26
2. Submission of annual safety reports by Infrastructure Managers and Railway Undertakings under Article 9(4) of the Railway Safety Directive by the statutory deadline .....	26
3. Number of inspections of RUs/IMs for 2008.....	27
4. Number of audits of RUs/IMs for 2008.....	27
5. Summary of the corrective safety measures/actions following these audits/inspections	27
6. Complaints from IMs about RUs related to their Safety Certificate conditions .....	27
7. Complaints from RUs about IMs related to their Safety Authorisation conditions .....	28
<b>H. Reporting on the application of the CSM on risk evaluation and assessment</b> .....	28
<b>I. Annexes</b> .....	28
ANNEX A: Railway structure information .....	29
A.1. Network map .....	29
A.2. List of Railway Undertakings and Infrastructure Managers .....	30
ANNEX B: Organisation chart(s) of the National Safety Authority .....	32
B.1. Organisation chart of the National Safety Authority in the Federal Ministry of Transport, Innovation and Technology.....	32
B.2. Organisation chart of the Federal Accident Investigation Body in the Federal Office of Transport.....	36
ANNEX C: CSI data and definitions applied .....	37
C.1. CSI data and charts.....	37
C.2. Definitions used in the annual report.....	46
C.3. Abbreviations.....	49
ANNEX D: Important changes in legislation and regulation .....	50
ANNEX E: The development of safety certification and authorisation – numerical data .....	52
E.1 Safety certificates under Directive 2001/14/EC.....	52

---

E.2	Safety certificates under Directive 2004/49/EC.....	52
E.3	Safety authorisations under Directive 2004/49/EC.....	53
E.4	Procedural aspects – Safety Certificates Part A .....	54
E.4	Procedural aspects – Safety Certificates Part B .....	55
E.6	Procedural aspects – Safety Authorisations.....	55

## **A.1. Scope of the report**

The following annual report within the meaning of the Railway Safety Directive - Directive 2004/49/EC of 29 April 2004 (OJ L 164 of 30 April 2004), as amended by Directive 2008/110/EC of 16 December 2008 (OJ L 345 of 23 December 2008), covers the activities of the National Safety Authority in connection with the operation of main railway lines and of branch lines belonging to the rail network, the operation of rolling stock on those lines and traffic on such railway lines in Austria in reference year 2008.

## **A.2. Summary**

In Austria, the general obligations of train operators ('Railway Undertakings') and companies responsible for rail infrastructure ('Infrastructure Managers') are laid down in the Railways Act (*Eisenbahngesetz*) 1957, published in Federal Law Gazette (*Bundesgesetzblatt*) No 60/1957, as amended and promulgated in Federal Law Gazette I No 25/2006. The detailed regulations laid down by Railway Undertakings concerning the training and the conduct of staff engaged in tasks with critical safety implications are subject to authorisation by the Railway Authority.

From 1 January 2006, in accordance with the provisions of the Accident Investigation Act (*Unfalluntersuchungsgesetz* – Federal Law Gazette I, No 123/2005), the Accident Investigation Body – *Unfalluntersuchungsstelle* (UUS) started its work as the independent investigating body prescribed by Article 21 of the Railway Safety Directive for accidents and incidents.

Safety indicators relating to accidents, incidents and near-misses and to the technical safety of infrastructure and of its utilisation are collected by the UUS.

Safety performance within Austria is controlled at various levels, for example through the approval process for subsystems, through maintenance rules and through accident and incident investigation. Railway undertakings and Infrastructure Managers have to fulfil obligations for periodical checking, reviewing and inspections as well as internal controls. Furthermore, safety performance is checked on a case-by-case basis when particular incidents occur.

Authorisation of subsystems for licensing Railway Undertakings and Infrastructure Managers, supervising their activities, checking the conformity of technical equipment, authorising the introduction of new or substantially altered rolling stock and monitoring, promoting and developing the regulatory framework for rail safety is carried out by the Federal Ministry of Transport, Innovation and Technology in its role as the National Safety Authority, notwithstanding the general responsibility of the Railway Undertakings and Infrastructure Managers themselves.

An amendment to the Railways Act, which entered into force on 27 July 2006, transposed the Railway Safety Directive and entrusted the Federal Ministry of Transport, Innovation and Technology with the functions of the National Safety Authority.

Existing, new and updated national safety rules are published on the website of the National Safety Authority, i.e. the Federal Ministry of Transport, Innovation and Technology ([www.bmvit.gv.at/en/verkehr/railway/index.html](http://www.bmvit.gv.at/en/verkehr/railway/index.html)).

In accordance with Directive 2004/49/EC on safety on the Community's railways (the Railway Safety Directive), the annual report of the Austrian National Safety Authority relates to its activities in the year 2008.

The report contains general information on the railway system in Austria, which is set out in Parts A, B and C as well as the related annexes.

Safety recommendations resulting from the investigation of accidents, incidents and near-misses during the reporting year are enumerated in Part D. Concerning the summary of the Common Safety Indicators (CSIs) in annex C, it should be mentioned that the analysis of the CSIs was complicated by factors such as the recording of some indicators by Railway Undertakings in a manner that deviated from the provisions of the Railway Safety Directive.

Part E reports major changes in legislation and regulations concerning railway safety in the year 2008.

The development of safety certification and authorisation is described in Part F. Annex E refers to safety certification.

A description of findings and experience derived from the supervision of Infrastructure Managers and Railway Undertakings is given in Part G.

## **B. Introductory section**

### **1. Introduction to the report**

The National Safety Authority within the meaning of the Railway Safety Directive was established in order to support the creation of a unified railway system in the Community. It was entrusted with the task of guaranteeing a uniform safety regime for specialised cross-border infrastructure.

In order to facilitate the task of assessing whether the Common Safety Targets (CSTs) are being achieved and to monitor the general development of railway safety, the Member States use their national safety authorities' annual reports to compile information regarding the Common Safety Indicators (CSIs).

Article 18 of the Railway Safety Directive - Directive 2004/49/EC of 29 April 2004 (OJ L 164 of 30 April 2004), as amended by Directive 2008/110/EC of 16 December 2008 (OJ L 345 of 23 December 2008), transposed into national law in Section 13a of the Railways Act (*Eisenbahngesetz*) 1957 (Federal Law Gazette No 60/1957), as amended and promulgated in Federal Law Gazette I No 125/2006:

#### **Annual report**

*Section 13a (1) The Federal Minister of Transport, Innovation and Technology shall draw up a report for each year on his or her activities in the preceding year in connection with the operation of main railway lines and branch lines belonging to the rail network, the operation of rolling stock on those lines and traffic on such railway lines. The annual report shall be published on the Internet no later than 30 September of the year following the reference year on the website of the Federal Ministry of Transport, Innovation and Technology and shall be transmitted to the European Railway Agency.*

*(2) The annual report shall contain the following details:*

- 1. a summary report on the Common Safety Indicators enumerated in Annex I of Directive 2004/49/EC;*
- 2. major amendments to federal laws and to statutory orders enacted on the basis of federal laws where such laws and statutory orders govern the construction or operation of the railway lines referred to in paragraph 1 above, the operation of rolling stock on such railway lines and railway traffic;*
- 3. developments in safety certification and authorisation;*
- 4. findings and experience derived from the supervision of railway Infrastructure Managers and Railway Undertakings.*

The annual report within the meaning of the Directive is based on analyses of data performed in accordance with Section 13a(3) of the Railways Act by the national Accident Investigation Body:

*Section 13a (3) The Accident Investigation Body (Section 3 of the Accident Investigation Act, Federal Law Gazette I, No 123/2005) shall provide the Federal Minister of Transport, Innovation and Technology with the data he or she requires in order to report on the Common Safety Indicators for the reference year; these data shall be provided in electronic form no later than 30 June of the calendar year following the reference year.*

It is also based on analyses of the safety reports prescribed by Section 39d of the Railways Act:

### **Safety report**

*Section 39d Railway Undertakings with their registered office in Austria and railway Infrastructure Managers with their registered office in Austria shall submit a safety report to the Authority before 30 June of each year relating to the preceding calendar year and containing the following:*

- 1. information as to how the company-related safety targets have been achieved;*
- 2. Austrian and Common Safety Indicators, in so far as these are relevant to the Railway Undertaking in question;*
- 3. the findings of internal safety checks;*
- 4. information on defects and disruptions which have impinged upon the operation of the rail network, the operation of rolling stock on the rail network or railway traffic.*

The annual report has been drawn up on the basis of the following European Railway Agency documents:

- Template - Structure for the content of the NSA Annual Safety Report
- Guideline for the use of the template - Structure for the content of the NSA Annual Safety Report



## **2. Railway structure information**

- Map of the rail network: see Annex A.1.
- List of Railway Undertakings (RUs) and Infrastructure Managers (IMs): see Annex A.2.

## **3. Summary – general trend analysis**

The following paragraphs summarise the development of the Common Safety Indicators for the period from 2006 to 2008 inclusive in so far as the availability of data permits.

The collection of data on the basis of the Common Safety Indicators (CSIs) proved to be difficult in some respects. In many cases, for example, the indicators relating to the consequences of accidents in terms of cost and time were not recorded by undertakings in the manner envisaged by the Directive, or else no clear distinction was made between the recordable items of information. References to the relevant problems are made in the appropriate tables in Annex C.1.

In 2008, a total of 97 serious accidents were reported in the area of activity covered by the Railway Safety Directive. When compared with the figures for previous years (106 in 2006 and 104 in 2007), this indicates a slight downward trend.

The total number of serious injuries fell from 60 in 2007 to 53 in 2008, and the number of fatalities decreased from 52 in 2007 to 39 in 2008. As in previous reference years, the categories in which the largest numbers of serious injuries and fatalities were recorded were users of level crossings and trespassers on railway property.

Data on the individual CSIs for reference years 2006 to 2008 are set out in Annex C.1.

## **C. Organisation**

### **1. Introduction to the organisation of the Austrian rail-safety system**

#### **National Safety Authority responsible for safety licensing and safety certification in 2008**

(for railway Infrastructure Managers responsible for main lines and for Railway Undertakings authorised to run trains on main lines and on branch lines belonging to the rail network):

Federal Ministry of Transport, Innovation and Technology (BMVIT)  
Directorate-General IV  
Radetzkystraße 2,  
A-1030 Vienna  
Tel.: +43 1 71162 652800  
Fax: +43 1 71162 652899  
E-mail: [iv-sl@bmvit.gv.at](mailto:iv-sl@bmvit.gv.at)  
Website: [www.bmvit.gv.at/verkehr/eisenbahn](http://www.bmvit.gv.at/verkehr/eisenbahn)

Further precise provisions on the responsibilities of the Federal Ministry of Transport, Innovation and Technology as a safety authority are set out in Section 12(3) of the Railways Act.

#### **Other safety authorities**

For Infrastructure Managers responsible only for branch lines belonging to the rail network, the safety authority is the provincial governor in each of the nine provinces (*Länder*).

Provincial Governor of Burgenland,  
Landhaus,  
A-7000 Eisenstadt

Provincial Governor of Carinthia,  
Arnulfplatz 1,  
A-9021 Klagenfurt

Provincial Governor of Lower Austria,  
Landhausplatz 1,  
A-3109 St. Pölten

Provincial Governor of Upper Austria,  
Klosterstraße 7,  
A-4020 Linz

Provincial Governor of Salzburg,  
Chiemseehof,  
A-5010 Salzburg

Provincial Governor of Styria,  
Burg,  
A-8011 Graz

Provincial Governor of the Tyrol,  
Landhaus,  
A-6020 Innsbruck

Provincial Governor of Vorarlberg,  
Landhaus,  
A-6900 Bregenz

Provincial Governor of Vienna,  
Rathaus,  
A-1082 Vienna

Further precise provisions on the responsibilities of provincial governors as safety authorities are set out in Section 12(2) of the Railways Act.

## **Labour Inspectorate**

Federal Ministry of Transport, Innovation and Technology (BMVIT)  
Directorate-General IV, Transport Labour Inspectorate Unit  
Radetzkystraße 2,  
A-1030 Vienna  
Tel.: +43 1 71162 654500  
Fax: +43 1 71162 654499  
E-mail: [v1@bmvit.gv.at](mailto:v1@bmvit.gv.at)  
Website: [www.bmvit.gv.at/vai](http://www.bmvit.gv.at/vai)

## **National Accident Investigation Body**

As prescribed by European Parliament and Council Directive 2004/49/EC of 29 April 2004 (Railway Safety Directive), an independent investigation body for railway accidents and incidents was established through the creation of a rail department within the Federal Accident Investigation Body (for organisation chart see Annex B.2):

Federal Office of Transport (*Bundesanstalt für Verkehr*)  
Accident Investigation, Rail Department  
Lohnergasse 9  
A-1210 Vienna  
Tel.: +43 1 27760 7500  
Fax: +43 1 27760 9298  
E-mail: [uus-schiene@bmvit.gv.at](mailto:uus-schiene@bmvit.gv.at)  
Website: [versa.bmvit.gv.at](http://versa.bmvit.gv.at)

The legal basis for the activity of the independent investigation body is provided by the Accident Investigation Act 2005 (*Unfalluntersuchungsgesetz*, Federal Law Gazette I, No 123/2005) and the Railways (Reporting) Order of 2006 (Federal Law Gazette I, No 279/2006).

The Railways (Reporting) Order contains the following provision:

*Section 1 ... the scope and form of reports on accidents and incidents occurring in the operation of a main or branch railway line (Section 4 of the Railways Act 1957 – Federal Law Gazette No 60), of a feeder line (Section 7 of the Railways Act 1957 – Federal Law Gazette No 60) and of a tramway operated exclusively on its own dedicated track, such as an underground railway (Section 5(1)(2) of the Railways Act 1957 – Federal Law Gazette No 60) and in the operation of rolling stock on such railways.*

### **Rail Regulator:**

Rail Control Commission (*Schienen-Control Kommission* - SCK),  
Schienen-Control, Österreichische Gesellschaft für  
Schienenverkehrsmarktregulierung mbH (SCG)  
Frankenberggasse 9/5  
A-1040 Vienna  
Tel.: +43 1 5050 707 0  
Fax: +43 1 5050 707 17  
E-mail: [office@scg.gv.at](mailto:office@scg.gv.at)  
Website: [www.scg.gv.at](http://www.scg.gv.at)

The company SCG is the Austrian regulatory body within the meaning of Article 30 of Directive 2001/14/EC and was established by the Railways Act in 1999.

## **2. Organisational flow**

The organisational structure of the National Safety Authority in the Federal Ministry of Transport, Innovation and Technology is presented in Annex B.1.

There were no organisational changes in the Federal Office of Transport in reference year 2008.

## D. The development of railway safety

### 1. Initiatives to maintain/improve safety performance

This section lists the main safety recommendations that were issued in the course of reference year 2008.<sup>2</sup>

*Table D.1.1 – Safety recommendations made as a result of an accident or signs of accidents*

Accidents/signs of accidents resulting in the listed measure			Safety recommendations <sup>(1)</sup>
Date	Location	Incident description	
31 March 2007	Vienna Südbahnhof	<b>Collision</b> between two shunting trains	<ul style="list-style-type: none"> <li>Under Section 14 of Austrian Federal Railways Service Regulation V3, authorisation to move rolling stock is given orally (by telecommunication) or by means of a signal ('clear to shunt' or 'clear to run'). If the authorisation is issued orally, the location to which the rolling stock may be moved must be indicated. In cases where rolling stock is to be shunted, the location to which the rolling stock may be shunted should always be indicated to the employee responsible for observing the signals, even if the 'clear to shunt' or 'clear to run' signal is given. This indication of the destination serves as supporting information as well as facilitating estimation of distance when the driver of an engine pushing rolling stock is guided orally. Moreover, it is also intended to counteract the longer stopping distance required for pushed rolling stock when an employee at the head of the shunted vehicles is transmitting the status of signals and encounters a 'stop' signal. Since this information does not constitute notification that the line is clear for shunting, the whole shunting path is driven by sight in accordance with the basic provisions of the Service Regulation.</li> <li>Section 14(1) of Austrian Federal Service Regulation V3 lays down that the shunter is to consult with the signal or points operator before the shunting movements. If shunting paths are indicated to the shunter, they must be adhered to. Communication of the shunting path, however, is not compulsory. Section 14(3)(a) lays down that authorisation to move rolling stock may not be given until the points have been properly set along the indicated shunting path. There is a need to clarify how authorisation is to be given in cases where the shunting path has not been communicated.</li> <li>The absence of records from the voice-recording equipment and the workflow log has a minimal impact on the identification of the cause of this particular accident, since the statements of those</li> </ul>

<sup>2</sup> The listed safety recommendations are those which had been made by the UUS when this report was drawn up, but they do not reflect the safety measures that had already been adopted.

Accidents/signs of accidents resulting in the listed measure			Safety recommendations <sup>(1)</sup>
Date	Location	Incident description	
			involved do not diverge. The absence of such records must be avoided at all costs in future, since the recorded data are normally indispensable when it comes to establishing the background to accidents and their causes. It is recommended that existing voice-recording equipment be continually checked and maintained, even if the licensing of operations does not depend on the availability of such equipment. In particular, the minimum specifications for voice-recording equipment should be laid down as part of the authorisation procedure for new installations.
2 August 2007	Matzleinsdorf, Vienna	<b>Derailement</b> of train Z54093	<ul style="list-style-type: none"> <li>• Use of bogies checked and certified free of cracks, particularly on wagons with the same make of bogies that are fitted to wagons of type 33 87 785 3 603-1.</li> <li>• Introduction of a mileage-based wagon inspection, adapted to the age of the rolling stock – for example by shortening the interval between inspections <ul style="list-style-type: none"> <li>- for rolling stock with 30 years' service or more and or</li> <li>- for rolling stock with annual mileage of 10 000 km or more.</li> </ul> </li> <li>• Introduction of a safety check when non-routine repairs take place; at the present time, such work entails only the repair of damage listed in the damage report.</li> <li>• Examining whether a regulatory basis is required to ensure that the correction coefficient <math>\kappa</math> is taken into account, in accordance with UIC leaflet 544-1, in the establishment of the effective braking power of goods trains exceeding 500 metres in length (this recommendation relates to the state of the art but not to the causes of the accident in question).</li> </ul>
9 September 2007	Vienna Donaukai	<b>Derailement</b> of train Z41328	<ul style="list-style-type: none"> <li>• 10-axle piggyback wagons Nos 81 53 498 3 000 to 159 belonging to Romanian State Railways (CFR), equipped with uniformly constructed spring supports (like those inspected by the ÖBB Technical Services company at its Knittelfeld works) should not be used until their spring supports have been exchanged for the type that is already installed on the piggyback wagons belonging to ÖBB-Rail Cargo Austria (RCA).</li> <li>• In order to avoid overloading of piggyback wagons or inaccurate reporting of weights and hence incorrect train data (e.g. wrong brake weights), all lorries should be weighed before loading, including loading outside Austria. Irregularities should be documented and appropriate action taken.</li> <li>• Care should be taken to ensure that, whenever the 'ÖBB' logo is affixed to rolling stock, there is tangible proof of the existence of licensing documents authorising the operation of the rolling stock on lines managed by ÖBB-Infrastruktur Betrieb AG.</li> <li>• Checks should be carried out to ensure that the necessary official licences are held for wagons labelled 'ÖBB' in the agreement grid.</li> <li>• In connection with the addresses indicated on rolling stock, checks should be carried out in order to ascertain the extent to which the provisions of the general terms and conditions for the use of train paths and other installations and facilities made available by public rail-Infrastructure Managers (ABB) and of ÖBB</li> </ul>

Accidents/signs of accidents resulting in the listed measure			Safety recommendations <sup>(1)</sup>
Date	Location	Incident description	
			<p>supplementary signalling and operating regulation No 31 (ÖBB-ZSB 31) apply to the infrastructure manager (IM) or diverse Railway Undertakings (RUs) in cases where 'ÖBB' is entered in the agreement grid under 'transferee RU'.</p> <ul style="list-style-type: none"> <li>Care should be taken to ensure that the necessary licensing documents for wagons authorised to run on an infrastructure network are laid out in due form and are retrievable without delay, and for this reason it is proposed that a national register of rolling stock be created.</li> </ul>
12 October 2007	Götzendorf, Lower Austria	<b>Collision</b> of train Z2699 with a group of persons	<ul style="list-style-type: none"> <li>When work has been carried out on a trackside magnet for the intermittent automatic train control inductive train-protection system, care must be taken to ensure that it remains serviceable and properly installed, since that technical device makes an essential contribution to operational safety. For this reason, the infrastructure manager, ÖBB Infrastruktur Betrieb AG, must ensure, by means of operating instructions and documented procedures, that, after any work on inductive train-protection systems, an appropriately trained technician checks their serviceability and proper installation before they are put into service and before any derailer is removed.</li> <li>All relevant staff of ÖBB Infrastruktur Betrieb's Infra Service Centre (ISC) should receive continuous information and instruction on the essential safeguards for track work as part of the periodical training courses held in accordance with the Railway Workers Protection Order. As a subsequent measure, observance of safeguards should be spot-checked by the railway undertaking and/or by the competent labour inspectorate. Irregularities should be documented and appropriate action taken.</li> </ul>
17 October 2007	Lower Austria	<b>Injuries to passengers</b> on train Z2715 VT 5022 008-6	<ul style="list-style-type: none"> <li>5022-class power units should remain in service if it is ensured that the extinguishing agents used in the firefighting system do not cause any harm to passengers and railway personnel.</li> </ul>
19 November 2007	Vienna Hütteldorf	<b>Derailed</b> of train Z96116	<ul style="list-style-type: none"> <li>Checking of all coupling rods for suitability, authorisation and regular inspection.</li> <li>Extension of the application of instruction manual ÖBB-DB 610 to journeys made by the ÖBB emergency train.</li> <li>Measures designed to ensure that data for 2068-class power units with serial numbers from 001 to 005 can be retrieved from recording devices in future.</li> </ul>
14 December 2007	Carinthia, between Görtschach-Förolach and Hermagor	<b>Collision</b> between train Z4803 and a car on a level crossing	<ul style="list-style-type: none"> <li>Until the experts' measures and stipulations are implemented, the level crossing at kilometre 24.336 on ÖBB line 45101 from Arnoldstein to Kötschach-Mauthen should be secured in both directions by means of a St Andrew's cross warning sign and the sounding of a warning signal by oncoming trains in accordance with the provisions of Section 6 of the Railway Crossings Order (<i>Eisenbahnkreuzungsverordnung</i>).</li> <li>As a result of the entry in the register of special circumstances and local speed restrictions (LA Süd 12/08), measures for the</li> </ul>



Accidents/signs of accidents resulting in the listed measure			Safety recommendations <sup>(1)</sup>
Date	Location	Incident description	
			<p>notification of engine drivers are required (measures to be taken by the infrastructure manager, ÖBB Infrastruktur Betrieb AG).</p> <ul style="list-style-type: none"> <li>In order to make the level crossing in question safe in accordance with Section 4 of the Railway Crossings Order, for trains on the down line we recommend verification of the requisite visibility in each season of the year during the envisaged period (measures to be taken by ÖBB Infrastruktur Betrieb AG, which would forward its findings to the administration of the Carinthian provincial government.</li> </ul>
27 December 2007	Carinthia, Rattendorf-Jenig	<b>Derailment</b> of train Z4824	<ul style="list-style-type: none"> <li>Review of the provisions of Section 12(4) of ÖBB Supplementary Signalling and Operating Regulation No 5 (ÖBB ZSB 5) as regards their applicability in practice, with particular focus on the nature of the visual check to be carried out by the engine driver to verify that the tongue blade is in contact with the stock rail (nature and scope of the check and location from which the check should be carried out) or on the way to prescribe compulsory application of a manual lock prior to the crossing of points after the points-control signal has been extinguished.</li> <li>Compiling a checklist with the essential criteria for checking trailable turnouts after the points-control signal has been extinguished (as laid down in Section 12(4) of ÖBB ZSB 5); this checklist would be issued to the train driver along with the documentation required for the journey.</li> </ul>
7 February 2008	Carinthia, Klagenfurt	<b>Persons endangered</b> by a train traversing an unguarded level crossing	<ul style="list-style-type: none"> <li>Raising awareness among the relevant staff by means of appropriate measures with nationwide applicability, such as written instructions and training sessions.</li> <li>Examining whether technical measures in the electronic interlocking system (pulse stretcher with U11 and U12 inertia-relay circuits) would enhance the reliability of the system.</li> <li>Examining whether Service Regulation S59, particularly Section 16(4), needs to be adapted in order to guarantee that the maintenance service will be notified of reported faults.</li> <li>Checking functions (chain of logic between the level crossing and the interlocking system) to ascertain whether: <ul style="list-style-type: none"> <li>more efficient functioning can be achieved,</li> <li>an all-clear signal can be generated in the event of a faulty continuous pick-up (jamming) by the inertia-relay contacts in the pulse stretchers of the electronic interlocking system.</li> </ul> </li> <li>Examining whether automated operational action by the electronic interlocking system is needed in the event of single and double faults (e.g. signal-induced speed reduction).</li> <li>Examining which technical and/or organisational facilities and regulatory provisions are needed to guarantee that the maintenance service will be notified if the area controlled by the operator, i.e. the movements inspector, is increased, for example through the use of centralised control boxes.</li> <li>Examining whether direct supervision by senior staff from the region, e.g. operations managers with local responsibility, and staff of the Rail Safety Net Group (six persons for the entire ÖBB network) is sufficient..</li> </ul>

Accidents/signs of accidents resulting in the listed measure			Safety recommendations <sup>(1)</sup>
Date	Location	Incident description	
24 March 2008	Styria, Leoben Donawitz	<b>Derailment of train Z47490</b>	<ul style="list-style-type: none"> <li>• Examining the type of rail fastening used on track 16 in Leoben Donawitz station on all lines with similar operating criteria managed by ÖBB Infrastruktur Betrieb AG.</li> <li>• Examining the operational documentation regarding the location of Leoben Donawitz station (comparison between the ÖBB site description, register of locally permissible speeds and working timetable).</li> <li>• Training of staff in the compilation of train data, particularly where trains change direction in the course of a journey.</li> <li>• Examining the provisions for rounding up and down in the automated calculation of braking power (mathematical rounding up and down in accordance with ÖBB Service Regulation V3, Section 28(6)).</li> <li>• Examining whether the effective braking power prescribed by UIC leaflet 521 should be observed for international goods trains.</li> <li>• Instruction of engine drivers in the observance of signalled speeds, particularly in relation to damage to rolling stock and infrastructure.</li> <li>• Spot-checking of adherence to speed limits through analysis of data from engines' recording equipment.</li> <li>• Spot-checking of adherence to speed limits through external measurement, e.g. by means of radar equipment..</li> <li>• Examining whether track improvements would offer energy-saving potential by facilitating economical driving practices (insertion of points permitting signalled access to track 16 with entry signal A indicating 'all-clear at 60 km/h'.</li> </ul> <p>Examining the provisions of ÖBB Service Regulation V3, 14<sup>th</sup> amendment, indent 6 of the table in Section 27(2), with regard to non-passenger trains comprising a single wagon class. This definition specifies completely empty or completely full trains comprising bogie wagons with the same class letter. Under the current rules governing such trains, the wagons are uniformly braked, although the application of the brakes is graduated along the length of the train. This creates a wavy pattern of braking power with peaks at certain points along the inert body of the train. These peaks lead to longitudinal surging which, depending on its direction, can either:</p> <ul style="list-style-type: none"> <li>- push wagons together, which can lead to buffer locking and derailments, or</li> <li>- pull wagons apart, which can result in uncoupling.</li> </ul> <p>These peaks of braking power increase with the length of the train and the force with which the brakes are applied (higher peaks in emergency braking than in service braking). This does not occur on trains fitted with electro-pneumatic (EP) brake systems.</p> <p>The provisions of ÖBB Service Regulation V3, 14<sup>th</sup> amendment, indent 6 of the table in Section 27(2), should therefore be repealed.</p>
27 June 2008	Vienna, Schedifka-platz	<b>Derailment of train Z197</b>	<ul style="list-style-type: none"> <li>• Ultrasound examination of all axles on class-100 power units, particularly in the area of the axle bearing (the ultrasound examination has already been initiated by the Viennese local</li> </ul>

Accidents/signs of accidents resulting in the listed measure			Safety recommendations <sup>(1)</sup>
Date	Location	Incident description	
			<p>train operator WLB, which has imposed a 60 km/h speed limit on its class-100 power units until the completion of the examination.</p> <ul style="list-style-type: none"> <li>Reviewing the ultrasound examination method used for class-100 power units on the basis of official order GZ. BMVIT-250.000/0001-IV/SCH4/2007 of 23 May 2007 regarding the use of mechanical ultrasound measurement for wheelsets of goods and passenger trains.</li> </ul>
6 August 2008	Burgenland, Szentgotthárd	<b>Unauthorised admission of train Lz 88013</b> into an occupied block	<ul style="list-style-type: none"> <li>Technical measures should be taken as soon as possible to establish a system of protection against oncoming and following trains between Jennersdorf and Szentgotthárd stations (see also the case of the head-on collision between trains Z44364 and Lz 88030 on 13 November 2007).</li> </ul>
16 October 2008	Upper Austria, Wels	<b>Fatality</b> resulting from contact with overhead wires	<ul style="list-style-type: none"> <li>Under Section 47(1) of the Railways Act 1957, only persons with a permit issued by the railway undertaking may access railway installations except at designated places.</li> <li>Examining whether permits should not be issued until evidence is produced that the person in question has received the necessary briefing (adaptation of the existing provisions such as ÖBB-ZSB 10 and the permits directive issued by ÖBB Infrastruktur Betrieb AG).</li> <li>Briefing of the relevant staff (of external companies) pursuant to Section 14 of the Employee Protection Act (<i>ArbeitnehmerInnenschutzgesetz</i>), particularly on the risks emanating from railway operations.</li> </ul>
7 November 2008	Salzburg, Kuchl	<b>Death</b> of a young passenger	<ul style="list-style-type: none"> <li>Examining whether, if the space between tracks so permits, the erection of a fence between the tracks would prevent people from crossing the permanent way.</li> <li>Examining whether, when lines are built or upgraded, constructions such as island platforms (without track-level access) in conjunction with noise barriers or other barriers to left and right of the railway would prevent unauthorised access to rail tracks.</li> <li>Examining whether the installation of prohibition signs and notices stating 'Keep off tracks - danger of death' between the tracks is possible in the available space.</li> <li>Examining whether the installed prohibition signs comply with the 'No unauthorised persons' sign prescribed by Annex 1 of the Health and Safety Signs and Signals Order (<i>Kennzeichnungsverordnung</i>, Federal Law Gazette II, No 101/1997).</li> <li>Affixing the missing prohibition notice at the 'up' end of platform 2.</li> <li>Nationwide spot checks in cooperation with the executive, especially at school locations.</li> </ul>
17 November 2008	Lower Austria, Unter Purkersdorf	<b>Derailment</b> of train Z47107	<ul style="list-style-type: none"> <li>Ensuring that the loading regime prescribed by RIV Appendix II, Volume 1, point 3.3 – weight distribution between the wheels of a wheelset not to exceed a ratio of 1:1.25 – and the provisions for bulk goods in point 5.3.1 are observed.</li> <li>Ensuring that the entries in the train manifest correspond to the actual sequence of wagons and that the brake mode of the</li> </ul>

Accidents/signs of accidents resulting in the listed measure			Safety recommendations <sup>(1)</sup>
Date	Location	Incident description	
			wagons complies with Section 27(2) of ÖBB Service Regulation V3 – the operating provision.
1 December 2008	Lower Austria, Wiener Neudorf	Collision of train Z149 with passenger car on level crossing	<ul style="list-style-type: none"> <li>Examining the road and rail elements of the level crossing at kilometre point 13.265 on WLB route No 1. In particular, this should include an evaluation of the official decision taken in 1996 enacting the current provisions, such as: <ul style="list-style-type: none"> <li>- the manner in which the level crossing is guarded (for example, whether the present safeguards, which conform to the 1996 decision, are adequate in the light of present-day traffic conditions, of possible changes in the volume of road and rail traffic, of the influence of the traffic lights at the nearby road junction, etc.;</li> <li>- the location of technical installations and of road signs and signals (e.g. positioning, visibility of installations, erection of countdown markers in accordance with the Road Traffic Regulations (<i>Straßenverkehrsordnung</i>), Section 50 (Danger signs), paragraph 6(c), etc.).</li> </ul> </li> <li>Having public-information films shown on television channels with wide coverage in Austria about the dangers of level crossings and proper road-user conduct.</li> </ul>

Table D.1.2 – Safety or other measures initiated for other reasons

*Not applicable for reference year 2008*

## 2. Detailed data trend analysis

This section contains an analysis of data trends for all Common Safety Indicator (CSI) categories:

- number of accidents;
- number of fatalities;
- number of injuries;
- number of incidents and near-misses;
- cost of all accidents and hours worked on safety;
- technical safety of infrastructure and its implementation; management of safety.

The scope of the statistics, the applicable definitions and the data on CSIs are set out in Annex C.

### **3. Results of safety recommendations**

A systematic evaluation of all safety recommendations made to date is currently taking place.

#### **E. Important changes in legislation and regulation**

The revision of the Railways Act – Federal Law Gazette I, No 125/2006 – completed the transposition into national law of the three directives listed below:

- (a) Directive 2004/49/EC of the European Parliament and of the Council on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of Railway Undertakings 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 certification (Railway Safety Directive)
- (b) Directive 2004/50/EC of the European Parliament and of the Council amending Council Directive 96/48/EC on the interoperability of the trans-European high-speed rail system and Directive 2001/16/EC of the European Parliament and of the Council on the interoperability of the trans-European conventional rail system
- (c) Directive 2004/51/EC of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways

The table in Annex D lists important changes in legislation and regulation in reference year 2008.

The Federal Ministry of Transport, Innovation and Technology (BMVIT) sent an initial list notifying the European Commission of these national technical provisions. In 2005, subsequent amendments were added to the list, and the updated list was sent to the European Commission. This was done in accordance with Article 16(3) of Directives 96/48/EC (high-speed rail system) and 2001/16/EC (conventional rail system), both of which were amended by Directive 2004/50/EC. On 20 June 2008 the Commission was notified of the revised catalogue

of national safety rules for the Austrian rail system in accordance with Article 8 of Directive 2004/49/EC; see <http://www.bmvit.gv.at/verkehr/eisenbahn/recht/eu/normen.html>.

## **F. The development of safety certification and authorisation**

### **1. National legislation – starting dates – availability**

#### **1.1. Starting date for issuing Safety Certificates (Article 10 of Directive 2004/49/EC - distinction made between Part A and Part B where necessary)**

The legal basis for issuing safety certificates under Article 10 of Directive 2004/49/EC (Sections 37 *et seq.* of the Railways Act) was created by the entry into force of the revised Railways Act on 27 June 2006.

The national transitional provisions on the necessity of a safety certificate are contained in Section 133a(5) and (6) of the Railways Act:

*Section 133a (5) Safety certificates issued by railway Infrastructure Managers for Austrian-based Railway Undertakings before the end of the day of promulgation of the Federal Act published as statute No 125/2006 in Federal Law Gazette I for an indefinite period or for a period extending beyond 31 December 2010 shall apply, unless they are previously withdrawn, until 31 December 2010 inclusive as safety certificates parts A and B. Safety certificates issued by railway Infrastructure Managers for Austrian-based Railway Undertakings before the end of the day of promulgation of the Federal Act published as statute No 125/2006 in Federal Law Gazette I for a period not extending beyond 31 December 2010 shall apply, unless they are previously withdrawn, until 31 December 2010 inclusive as safety certificates parts A and B. If, six months before the expiry date of the safety certificate, an application for issue of a safety certificate parts A and B was made to the Federal Minister of Transport, Innovation and Technology, such safety certificates shall apply as safety certificates parts A and B, unless they are previously withdrawn, for as long beyond the expiry date as no decision has been taken on the said application, but not beyond 31 December 2010.*

*(6) Safety certificates issued by railway Infrastructure Managers before the end of the day of promulgation of the Federal Act published as statute No 125/2006 in Federal Law Gazette I for an indefinite period or for a period extending beyond 31 December 2010 for Railway Undertakings based in another Member State of the European Union, in another State Party to the Agreement on the European Economic Area or in the Swiss Confederation shall apply as safety certificates part B, unless they are previously withdrawn, until their expiry date but not beyond 31 December 2010. Safety certificates issued before the end of the day of promulgation of the Federal Act published as statute No 125/2006 in Federal Law Gazette I for such Railway Undertakings in the state in which they are based shall also apply as evidence of a safety certificate parts A and B, unless they are previously withdrawn, until their expiry date but not beyond 31 December 2010.*

1.2. Starting date for issuing Safety Authorisations (Article 11 of Directive 2004/49/EC)

The legal basis for issuing safety authorisations under Article 11 of Directive 2004/49/EC (Sections 38 *et seq.* of the Railways Act) was created by the entry into force of the revised Railways Act on 27 June 2006.

The national transitional provisions on the necessity of a safety authorisation are contained in Section 133a(7) of the Railways Act:

*Section 133a (7) Until the end of 30 June 2008, operating licences issued for main railway lines and branch lines belonging to the rail network and for amendments to such services shall count as safety authorisations within the meaning of Section 38 of this Act.*

1.3. Availability of national national safety rules and legislation to Railway Undertakings and Infrastructure Managers (websites, printed documentation available on request, etc.)

Federal Ministry of Transport, Innovation and Technology (BMVIT)

Directorate-General IV

Radetzkystraße 2,

A-1030 Vienna

Tel.: +43 1 71162 652800

Fax: +43 1 71162 652899

Websites:

[www.bmvit.gv.at/verkehr/eisenbahn/recht/index.html](http://www.bmvit.gv.at/verkehr/eisenbahn/recht/index.html)

[www.bmvit.gv.at/verkehr/eisenbahn/recht/eu/normen.html](http://www.bmvit.gv.at/verkehr/eisenbahn/recht/eu/normen.html)

[www.bmvit.gv.at/verkehr/eisenbahn/recht/downloads/notifizierung](http://www.bmvit.gv.at/verkehr/eisenbahn/recht/downloads/notifizierung)

The text of national laws and statutory orders is accessible in the Federal Government's general legal information system.

Website: [www.ris2.bka.gv.at](http://www.ris2.bka.gv.at)

To assist in the drafting of application documents for the safety certificate within the meaning of Article 12 of the Railway Safety Directive, a guide for applicants

for a safety certificate, entitled *Leitfaden zum Antrag auf Ausstellung einer Sicherheitsbescheinigung*, was produced. It can be downloaded from the following website:

[www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/leitfaeden/bescheinigung.html](http://www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/leitfaeden/bescheinigung.html)

## **2. Numerical data**

Numerical data relating to the development of safety certification and authorisation are set out in Annex E.

## **3. Procedural aspects**

### **3.1 Safety Certificates Part A**

3.1.1. Reasons for updating/amending Part A Certificates (e.g. variation in type of service, extent of traffic, size of company)

*Not applicable yet to reference year 2008 (see point F.2 and Annex E.2).*

3.1.2. Main reasons if the mean issuing time for Part A Certificates (restricted to those mentioned in Annex E and after having received all necessary information) was more than the maximum period of four months prescribed by Article 12(1) of the Railway Safety Directive

*Not applicable yet to reference year 2008.*

3.1.3. Requests from other National Safety Authorities for information on a Railway Undertaking certified in your country and applying to them for a Part B Certificate

*No other National Safety Authorities made such a request in reference year 2008.*

3.1.4. Summary of problems with the mutual acceptance of the Community-wide valid Part A Certificates

*There have not yet been any relevant problems regarding mutual acceptance in reference year 2008..*

3.1.5. NSA charging fee for issuing a Part A Certificate (Yes/No – Cost)



*A fee is levied under the Public Charges Act (Gebührengesetz) 1957 (Federal Law Gazette No 267/1957, as amended) for the submission of application documents. The fee is based on the documents submitted with the application.*

- 3.1.6. Summary of problems regarding the use of the harmonised formats for Part A Certificates, specifically in relation to the categories for type and extent of service

*No major problems have occurred in connection with the use of the harmonised model forms.*

- 3.1.7. Summary of the common problems/difficulties for the NSA in application procedures for Part A Certificates.

*No particular problems occurred in reference year 2008 with the application procedure for Part A Certificates.*

- 3.1.8. Summary of the problems mentioned by Railway Undertakings when applying for a Part A Certificate

*Apart from the time delay resulting from the development of safety-management and quality-management systems within the meaning of Section 133a of the Railways Act, no major problems were highlighted.*

- 3.1.9. Feedback procedure (e.g. questionnaire) that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints

*No formalised feedback procedure was conducted in reference year 2008.*

## 3.2. Safety Certificates Part B

- 3.2.1. Reasons for updating/amending Part B Certificates (e.g. variation in type of service, extent of traffic, lines to be operated, type of rolling stock, category of staff, etc.

*Not applicable yet to reference year 2008 (see point F.2 and Annex E.2).*

- 3.2.2. Main reasons if the mean issuing time for Part B Certificates (restricted to those mentioned in Annex E and after having received all necessary information) was more than the maximum period of four months prescribed by Article 12(1) of the Railway Safety Directive

*Not applicable yet to reference year 2008.*

- 3.2.3. NSA charging fee for issuing a Part B Certificate (Yes/No – Cost)

*A fee is levied under the Public Charges Act (Gebührengesetz) 1957 (Federal Law Gazette No 267/1957, as amended) for the submission of application documents. The fee is based on the documents submitted with the application.*

- 3.2.4. Summary of problems regarding the use of the harmonised formats for Part B Certificates, specifically in relation to the categories for type and extent of service

*No major problems have occurred in connection with the use of the harmonised model forms.*

- 3.2.5. Summary of the common difficulties for the NSA in application procedures for Part B Certificates

*No particular problems occurred in reference year 2008 with the application procedure for part-B certificates.*

- 3.2.6. Summary of the problems mentioned by Railway Undertakings when applying for a Part B Certificate

*No major problems were reported in the reference year regarding applications for Part B Certificates.*

- 3.2.7 Feedback procedure (e.g. questionnaire) that allows Railway Undertakings to express their opinion on issuing procedures/practices or to file complaints

*No formalised feedback procedure was conducted in reference year 2008..*

### 3.3 Safety Authorisations

#### 3.3.1 Reasons for updating/amending Safety Authorisations

*Not applicable yet to reference year 2008 (see point F.2 and Annex E.2).*

#### 3.3.2. Main reasons if the mean issuing time for Safety Authorisations (restricted to those mentioned in Annex E and after having received all necessary information) was more than the maximum period of four months prescribed by Article 12(1) of the Railway Safety Directive

*Once all the necessary information had been received and systems of safety and quality management within the meaning of Section 133a of the Railways Act had been successfully established, the maximum period was never exceeded in reference year 2008.*

#### 3.3.3. Summary of the regular difficulties in application procedures for Safety Authorisations

*Because of the division of responsibilities, investigation procedures were conducted by several safety authorities (under Section 12 of the Railways Act 1957, the Federal Minister of Transport, Innovation and Technology is the authority responsible for Safety Authorisations for railway Infrastructure Managers which operate both main lines and branch lines belonging to the rail network, while the provincial governor is responsible for safety authorisations for Infrastructure Managers operating only branch lines).*

#### 3.3.4. Summary of the problems mentioned by Infrastructure Managers when applying for a Safety Authorisation.

*No particular problems occurred in reference year 2008 with the application procedure for Safety Authorisations.*

#### 3.3.5. Feedback procedure (e.g. questionnaire) that allows Infrastructure Managers to express their opinion on issuing procedures/practices or to file complaints

*No formalised feedback procedure was conducted in reference year 2008..*

#### 3.3.6. Charging fee for issuing a Safety Authorisation (Yes/No – Cost)

*A fee is levied under the Public Charges Act (Gebührengesetz) 1957 (Federal Law Gazette No 267/1957, as amended) for the submission of application documents. The fee is based on the documents submitted with the application.*

## **G. Supervision of Railway Undertakings and Infrastructure Managers**

### **1. Description of the supervision of Railway Undertakings and Infrastructure Managers**

The general tasks of the railway authorities and their supervisory instruments are laid down in summarised form in Section 13 of the Railways Act. The Act, as amended, assigns a great deal of responsibility to Railway Undertakings for routine supervision of construction and operational activities.

Reviews of Railway Undertakings and Infrastructure Managers are conducted, *inter alia*, in response to unusual incidents (see also point D.1 above). They may consist, for example, in sample checks *in situ* by the authorities of Railway Undertakings' operational records in conjunction with the documentation of findings and the identification of measures designed to remedy any defects (local supervision).

In connection with the issuing of safety certificates and safety authorisations, the National Safety Authority carried out site inspections in reference year 2008 on the basis of checklists.

### **2. Submission of annual safety reports by Infrastructure Managers and Railway Undertakings under Article 9(4) of the Railway Safety Directive by the statutory deadline**

For reference year 2008, the National Safety Authority in the BMVIT, submitted the following documents as well as collecting additional statistical data:

13 safety reports from Infrastructure Managers,

19 safety reports from Railway Undertakings,

data from the Federal Office of Transport (*Bundesanstalt für Verkehr*, the national accident-investigation body), and

additional data from the Railway Undertakings.

### 3. Number of inspections of RUs/IMs for 2008

Inspections		Part-A safety certificates issued	Part-B safety certificates issued	Safety authorisations issued	Other activities (please specify)
Number of inspections of RUs and IMs for 2008	planned	1	1	3	
	unscheduled				
	conducted	1	1	3	

### 4. Number of audits of RUs/IMs for 2008

Audits		Part-A safety certificates issued	Part-B safety certificates issued	Safety authorisations issued	Other activities (please specify)
Number of audits of RUs and IMs for 2008	planned				
	conducted				

### 5. Summary of the corrective safety measures/actions following these audits/inspections

*There have not yet been any remedial measures in respect of the reference year.*

### 6. Complaints from IMs about RUs related to their Safety Certificate conditions

*There have not yet been any complaints in respect of the reference year.*

**7. Complaints from RUs about IMs related to their Safety Authorisation conditions**

*There have not yet been any complaints in respect of the reference year.*

**H. Reporting on the application of the CSM on risk evaluation and assessment**

*Not yet applicable to the reference year (implementation strategies are currently being devised).*

**I. Annexes**

## ANNEX A: Railway structure information

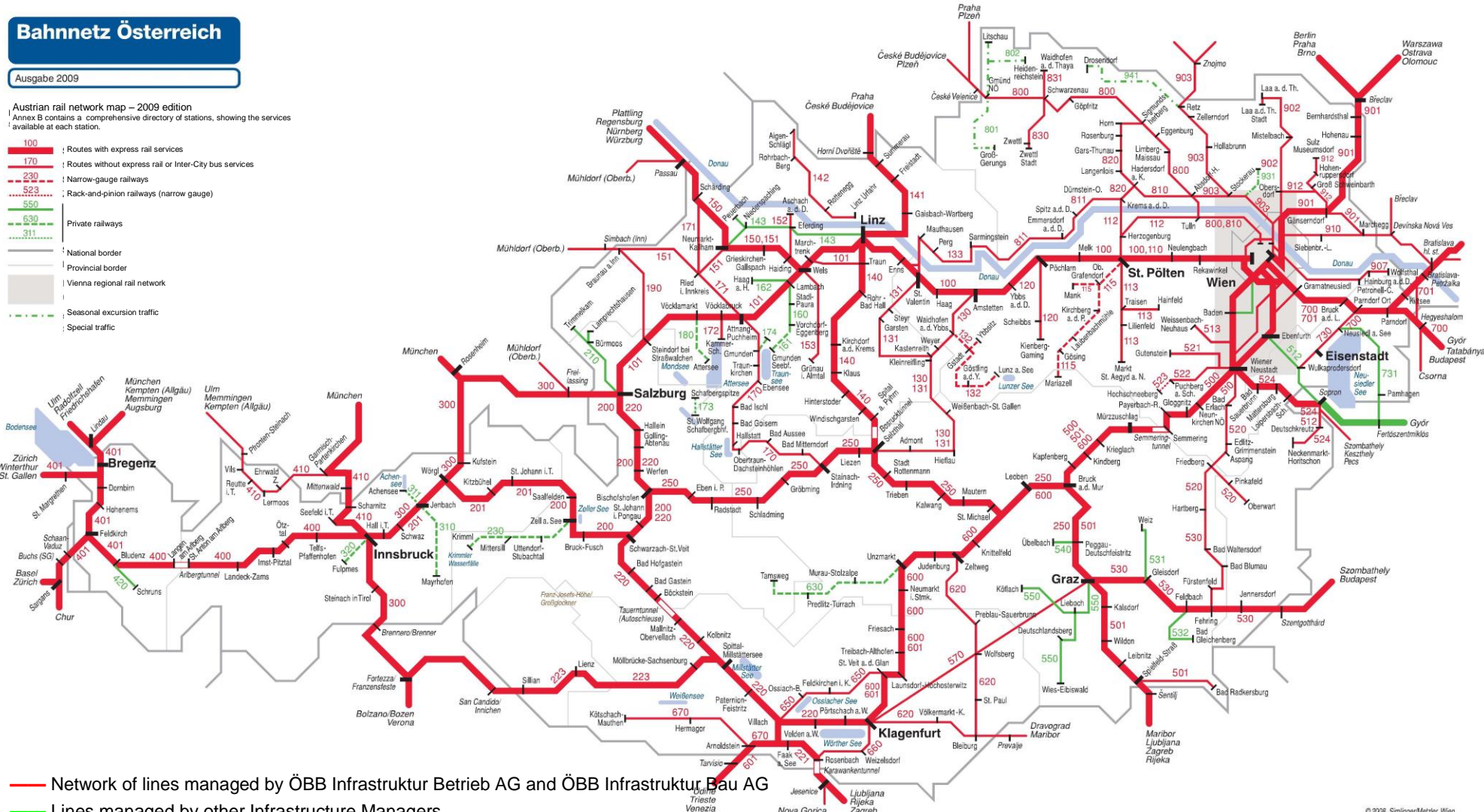
### A.1. Network map

#### Bahnnetz Österreich

Ausgabe 2009

Austrian rail network map – 2009 edition  
Annex B contains a comprehensive directory of stations, showing the services available at each station.

- 100 : Routes with express rail services
- 170 : Routes without express rail or Inter-City bus services
- - - 230 : Narrow-gauge railways
- - - 523 : Rack-and-pinion railways (narrow gauge)
- 550 : Private railways
- 630 : Private railways
- - - 311 : Private railways
- : National border
- : Provincial border
- : Vienna regional rail network
- - - : Seasonal excursion traffic
- - - : Special traffic



- Network of lines managed by ÖBB Infrastruktur Betrieb AG and ÖBB Infrastruktur Bau AG
- Lines managed by other Infrastructure Managers

© 2008, SimlingerMetzler, Wien



## A.2. List of Railway Undertakings and Infrastructure Managers

### A.2.1 Infrastructure Managers (companies responsible for railway infrastructure on main lines and branch lines belonging to the rail network)

Name	Address	Website/Link to network mission statement
Aktiengesellschaft der Wiener Lokalbahnen	Eichenstraße 1 1120 Vienna	<a href="http://www.wlb.at">www.wlb.at</a>
Cargo-Center-Graz Betriebsgesellschaft m.b.H. & Co KG	Terminal 1 8402 Werndorf	<a href="http://www.cargo-center-graz.at">www.cargo-center-graz.at</a>
Graz-Köflacher Bahn und Busbetrieb GmbH	Köflacher Gasse 35 – 41 8020 Graz	<a href="http://www.gkb.at">www.gkb.at</a>
Lokalbahn Lambach- Vorchdorf- Eggenberg AG Betriebsführung: Stern & Hafferl Verkehrs- gesellschaft mbH	Kuferzeile 32 4810 Gmunden	<a href="http://www.stern-verkehr.at">www.stern-verkehr.at</a>
Linzer Lokalbahn AG Betriebsführung: Stern & Hafferl Verkehrs- gesellschaft mbH	Rathaus 4041 Linz	<a href="http://www.stern-verkehr.at">www.stern-verkehr.at</a>
Montafonerbahn AG	Bahnhofstraße 15 a+b 6780 Schruns	<a href="http://www.montafonerbahn.at">www.montafonerbahn.at</a>
Neusiedler Seebahn AG	Bahnhofplatz 5 7041 Wulkaprodersdorf	<a href="http://www.nsb-ag.at">www.nsb-ag.at</a>
ÖBB Infrastruktur Bau AG	Vivenotgasse 10 1120 Vienna	<a href="http://www.oebb.at/bau">www.oebb.at/bau</a>
ÖBB Infrastruktur Betrieb AG	Elisabethstraße 9 1010 Vienna	<a href="http://www.oebb.at/betrieb">www.oebb.at/betrieb</a>
Raab-Oedenburg-Ebenfurter Eisenbahn AG	Bahnhofplatz 5 7041 Wulkaprodersdorf	<a href="http://www.raaberbahn.at">www.raaberbahn.at</a>
Salzburg AG für Energie, Verkehr und Telekommunikation	Plainstraße 70 5020 Salzburg	<a href="http://www.salzburg-ag.at">www.salzburg-ag.at</a>
Steiermärkische Landesbahnen	Eggenberger Str. 20 8020 Graz	<a href="http://www.stlb.at">www.stlb.at</a>
Stern & Hafferl Verkehrsgesellschaft mbH	Kuferzeile 32 4810 Gmunden	<a href="http://www.stern-verkehr.at">www.stern-verkehr.at</a>
Süd Burgenländische Regionalbahn GmbH (not yet operational)	Bahnstraße 1 7508 Großpetersdorf	<a href="http://www.schuch-reisen.at">www.schuch-reisen.at</a>

#### A.2.2. Railway Undertakings with operating licences under Section 15 or 16 of the Railways Act

Name	Address	Website
Aktiengesellschaft der Wiener Lokalbahnen	Eichenstraße 1 1120 Vienna	<a href="http://www.wlb.at">www.wlb.at</a>
Graz-Köflacher Bahn und Busbetrieb GmbH	Köflacher Gasse 35 – 41 8020 Graz	<a href="http://www.gkb.at">www.gkb.at</a>
Logistik Service GmbH	Lunzerstraße 41 4031 Linz	<a href="http://www.voestalpine.com/logserv">www.voestalpine.com/logserv</a>
LTE-Logistik- und Transport GmbH	Reininghausstraße 3 8020 Graz	<a href="http://www.lte.at">www.lte.at</a>
Majestic Emperor Train de Luxe Waggon Charter Ges.m.b.H. (Not yet operational)	Opernring 4/8 1010 Vienna	<a href="http://www.imperialtrain.com">www.imperialtrain.com</a>
Montafonerbahn AG	Bahnhofstraße 15 a+b 6780 Schruns	<a href="http://www.montafonerbahn.at">www.montafonerbahn.at</a>
ÖBB Personenverkehr AG	Wagramer Straße 17-19 1220 Vienna	<a href="http://www.oebb.at/pv">www.oebb.at/pv</a>
ÖBB Technische Services GmbH	Grillgasse 48 1110 Vienna	<a href="http://www.oebb.at/ts">www.oebb.at/ts</a>
ÖBB Traktion GmbH	Langauer Gasse 1 1150 Vienna	<a href="http://www.oebb-traktiongmbh.at">www.oebb-traktiongmbh.at</a>
Raab-Oedenburg-Ebenfurter Eisenbahn AG	Bahnhofplatz 5 7041 Wulkaprodersdorf	<a href="http://www.raaberbahn.at">www.raaberbahn.at</a>
Rail Cargo Austria AG	Erdberger Lände 40-48 1030 Vienna	<a href="http://www.railcargo.at">www.railcargo.at</a>
Rail Professionals Stütz GmbH (Not yet operational)	Pallenbergstraße 31d 1130 Vienna	<a href="http://www.railprofi.at">www.railprofi.at</a>
RTS Rail Transport Services GmbH	Puchstraße 184a 8055 Graz	<a href="http://www.rts-austria.at">www.rts-austria.at</a>
Salzburg AG für Energie, Verkehr und Telekommunikation	Plainstraße 70 5020 Salzburg	<a href="http://www.salzburg-ag.at">www.salzburg-ag.at</a>
Steiermarkbahn Transport und Logistik GmbH	Eggenberger Straße 20 8020 Graz	<a href="http://www.steiermarkbahn.at">www.steiermarkbahn.at</a>
Steiermärkische Landesbahnen	Eggenberger Straße 20 8020 Graz	<a href="http://www.stlb.at">www.stlb.at</a>
Stern & Hafferl Verkehrsgesellschaft mbH	Kuferzeile 32 4810 Gmunden	<a href="http://www.stern-verkehr.at">www.stern-verkehr.at</a>
TX Logistik GmbH	Am Concorde-Park E/13 2320 Schwechat	<a href="http://www.txlogistic.com">www.txlogistic.com</a>
Wiener Lokalbahnen Cargo GmbH (Not yet operational)	Eichenstraße 1 1121 Vienna	<a href="http://www.wlb.at/cargo">www.wlb.at/cargo</a>

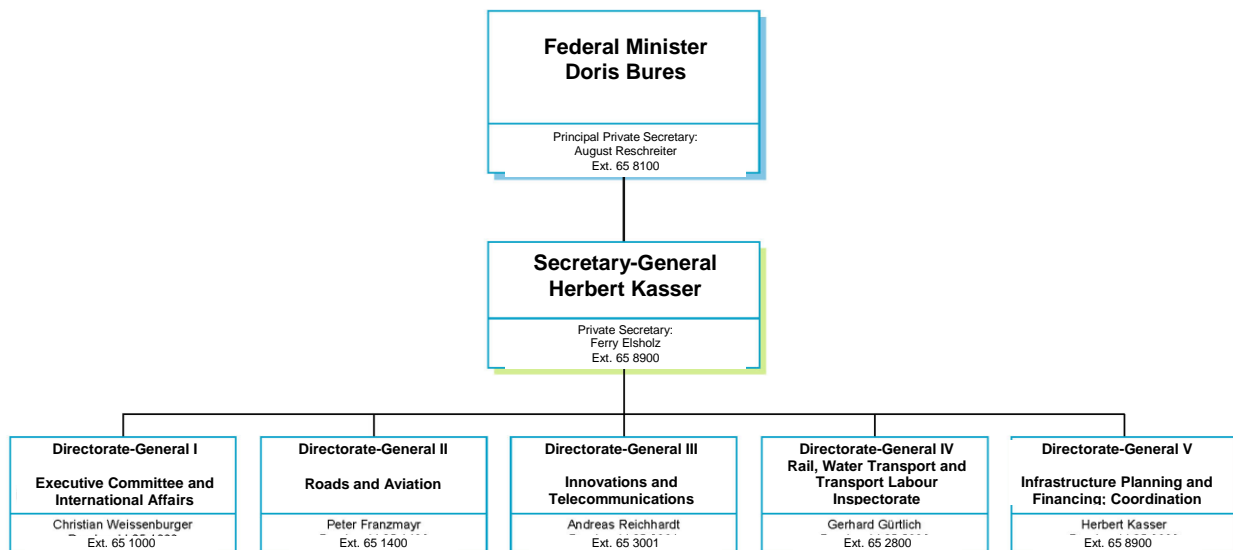
**ANNEX B: Organisation chart(s) of the National Safety Authority**

**B.1. Organisation chart of the National Safety Authority in the Federal Ministry of Transport, Innovation and Technology**



Federal Ministry of Transport,  
Innovation and Technology

Telephone: +43 (0) 1 711 62 + extension

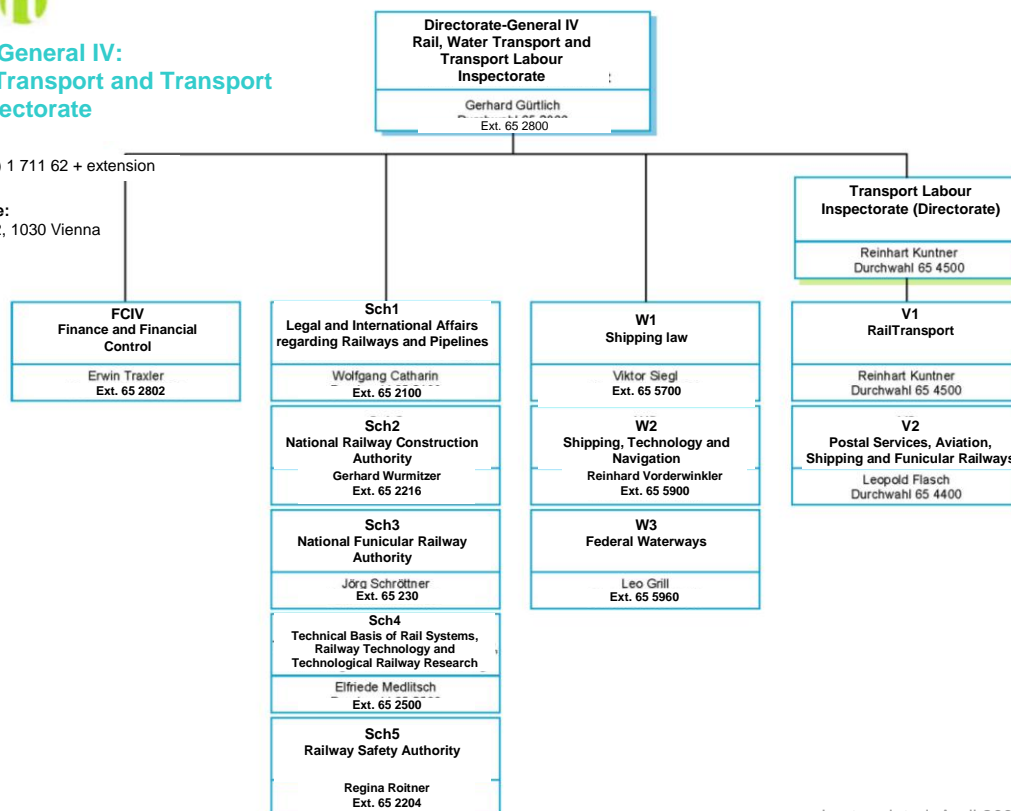




**Directorate-General IV:  
Rail, Water Transport and Transport  
Labour Inspectorate**

Telephone: +43 (0) 1 711 62 + extension

Visitors' entrance:  
Radetzkystrasse 2, 1030 Vienna



Last updated: April 2009

Excerpt from the organisational plan:

## DIRECTORATE-GENERAL IV – RAIL, WATER TRANSPORT AND TRANSPORT LABOUR INSPECTORATE

Infrastructure and transport matters concerning the national rail-transport and cable car authorities and the national shipping authority; the Transport Labour Inspectorate

### Division Sch1 – Legal and International Affairs regarding Railways and Pipelines

This division deals with national legal matters, including general secondary legislation, as well as the coordination of legal provisions relating to railways and pipelines. It deals with legal matters concerning the reform of the railway system and regulation of the market in rail transport, including the training and examination system as well as matters relating to government commissioners. It assists in the creation and transposition of Community legislation and the formulation of the provisions of international agreements in the domain of railways and pipelines and is represented on EU bodies and on national and international bodies with responsibilities in that domain. It is also responsible for the implementation of the Pipelines Act (*Rohrleitungsgesetz*).

## **Division Sch2 – National Railway Authority (procedures relating to the railway system)**

Division Sch2 is responsible for legal and administrative railway matters, including procedural aspects of operational and technical matters relating, for example, to safety installations and rolling stock; in particular, it conducts all of the relevant administrative procedures (other than those assigned to Division Sch5), such as building approval, type approval for construction projects and operational licensing. It deals with route-approval procedures, procedures under the Environmental Impact Assessment Act (*Umweltverträglichkeitsprüfungsgesetz*) 2000, procedures concerning trackside residents and land acquisition under railway legislation, procedures for the redesigning or securing of level crossings, appeals procedures relating to the railways, including those relating to safety installations and rolling stock as well as trolley-bus routes. It maintains the register prescribed by Section 40 of the Railways Act, deals with matters relating to other supervisory instruments that are available to building authorities and matters concerning secondary procedural legislation, including departmental orders and implementation circulars and other statutory orders regarding procedural matters.

## **Division Sch4 – Technical Basis of Rail Systems, Railway Technology and Technological Railway Research**

This division deals with general technical matters concerning construction, safety, telecommunications, electrics and machinery relating to the railway system, including safety installations and rolling stock of all types. It is also responsible for matters regarding national and international technical standards and specifications as well as other regulatory instruments relating to technological developments. It concerns itself with matters relating to the technical basis of railways in national bodies, in EU bodies and in particular the Article 21 Committee, in ERA, the European Committee for Standardisation (CEN) and other international bodies. It deals with matters regarding the directories of standards, specifications and other regulatory instruments established by statutory orders under Section 19(4) and (5) of the Railways Act. It plays a part in the accreditation, evaluation and publication of pertinent research findings in the railway field, including knowledge acquired from railway procedures, and collaborates with divisions Sch1, Sch2 and Sch5 on all technical railway matters within the purview of division Sch4.

## **Division Sch5 – Railway Safety Authority**

Division Sch5 deals with the legal, administrative and operational aspects of rail safety, such as concessions for infrastructure construction, operating authorisations and concessions, safety authorisations and safety certificates, matters concerning the Safety Authority's reporting system and representation of the Austrian Government in deliberations on these matters in all international authorities and organisations. It deals with the closure of railway lines and keeping them open, is involved in matters concerning the accident-investigation body, deals with the provisions of general directives for railway employees and the approval of such provisions, authorisation of the

appointment of operations managers and matters relating to other supervisory instruments available to safety authorities.

## **Transport Labour Inspectorate**

### **Division V1 – Rail Transport**

This division looks after the legal protection of employees of Railway Undertakings within the meaning of the Railways Act 1957 (companies operating rail transport on mainline and branch-line railways, tramways and underground railways as well as trolley-bus services, feeder railways and plant railways used for transporting materials), as well as those employed on sleeper coaches, couchette coaches, buffet and restaurant cars, including the staff of coach-repair workshops, in railway companies' social and welfare amenities and road-vehicle services and in transshipment facilities where railway operations and accompanied goods traffic are handled. The division also deals with the development of the existing occupational health and safety instruments within its own sphere of responsibility, with legislative and international aspects of occupational health and safety and with the regulation of working hours and rest periods for employees of transport companies within the division's sphere of responsibility, except in cases where issues of transport law are involved. It participates in administrative penal proceedings arising from breaches of occupational health and safety rules and in administrative proceedings for the enforcement of health and safety legislation, particularly in cases relating to railway law. It deals with matters relating to railway accidents, assessing them from the perspective of occupational health and safety. It represents the Ministry on the Accident Prevention Board of the Austrian Railways' Insurance Institute, participates in the setting of international, European and national standards and is involved in the work of the Austrian Standards Institute and of the Austrian Electrical Engineering Association.

## **B.2 Organisation chart of the Federal Accident Investigation Body in the Federal Office of Transport**

*No changes in the reference year.*

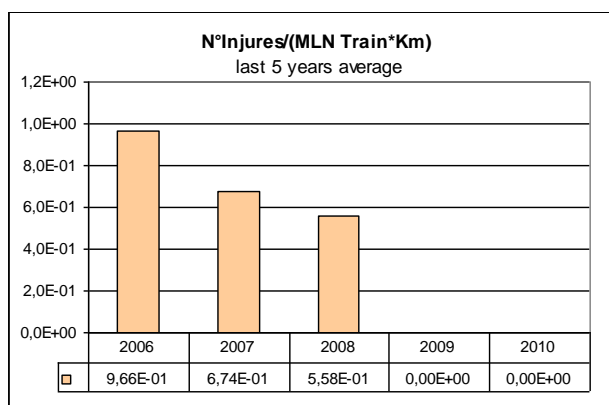
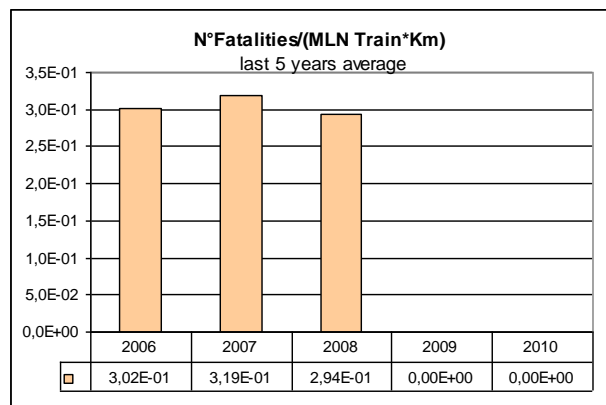
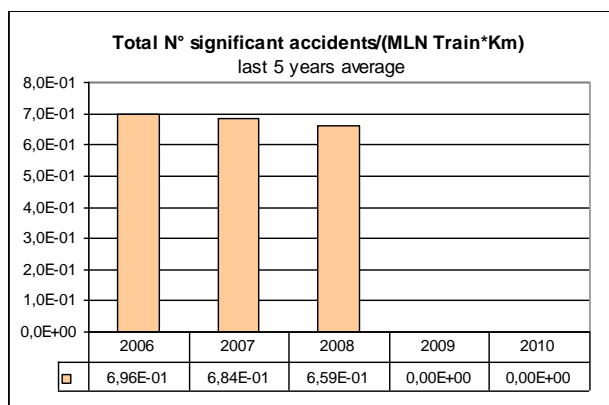
## ANNEX C: CSI data and definitions applied

The analysed CSI data relate to the operation of main railway lines and of branch lines belonging to the rail network in Austrian territory, to the operation of rolling stock on such railways and to transport on such railways for reference year 2008, including data from the annual reports for the years 2006 and 2007.

### C.1. CSI data and charts

Charts:

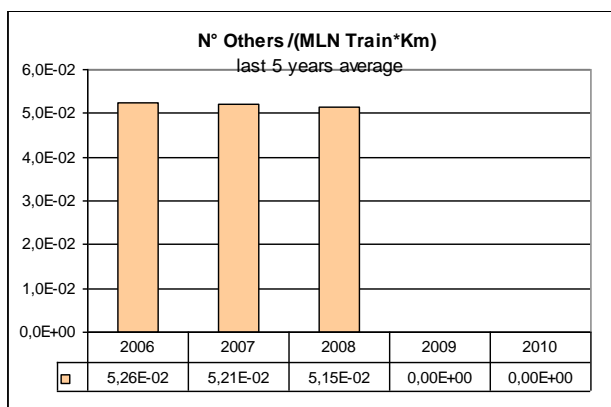
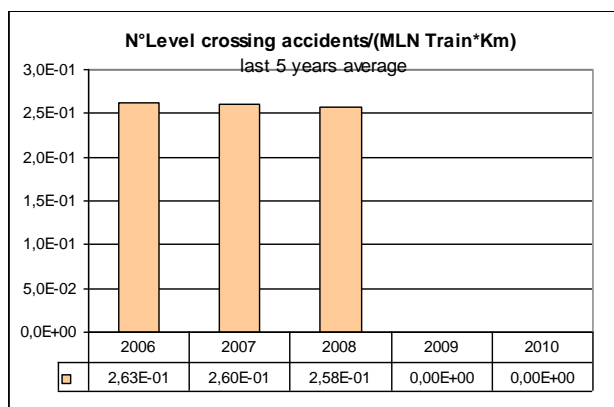
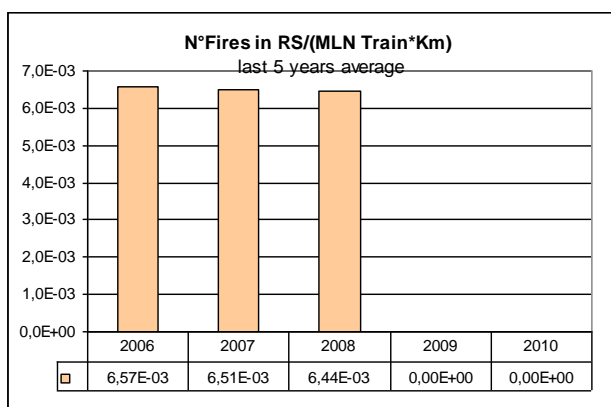
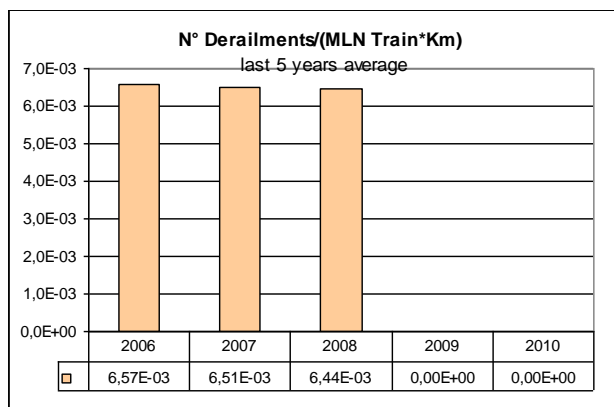
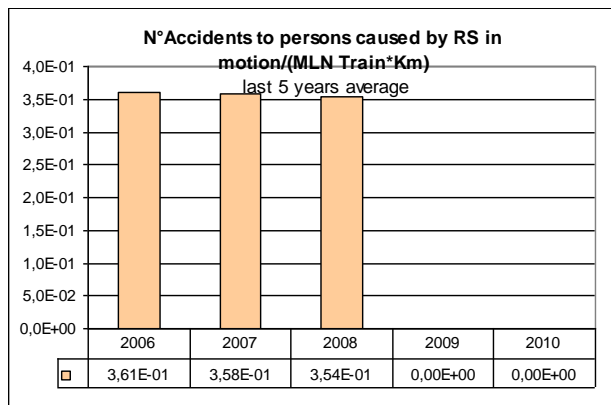
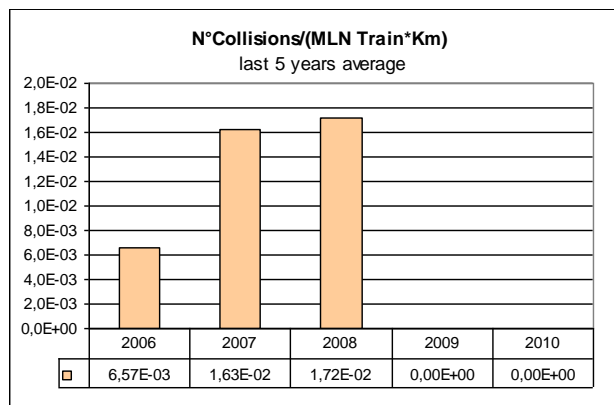
#### *Summary of services*



In the 2007 annual report (covering 2006) and the 2008 report (covering 2007), the number of accidents indicated for 2006 encompassed all accidents. These figures have been corrected, so that, in accordance with Regulation (EC) No 91/2003, as amended by Regulation (EC) No 1192/2003, the statistics for 2006 now show only serious accidents.

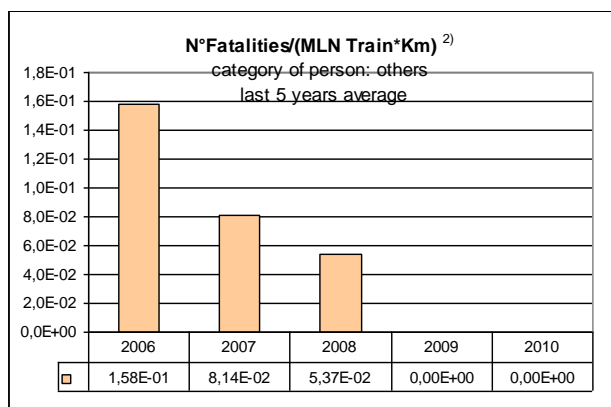
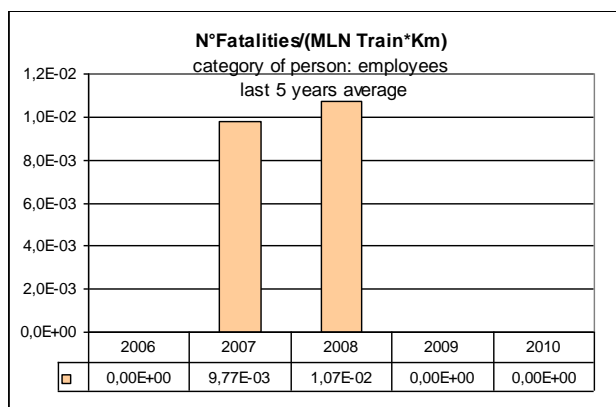
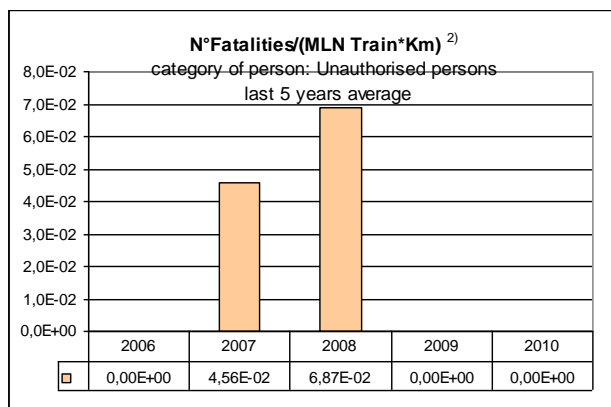
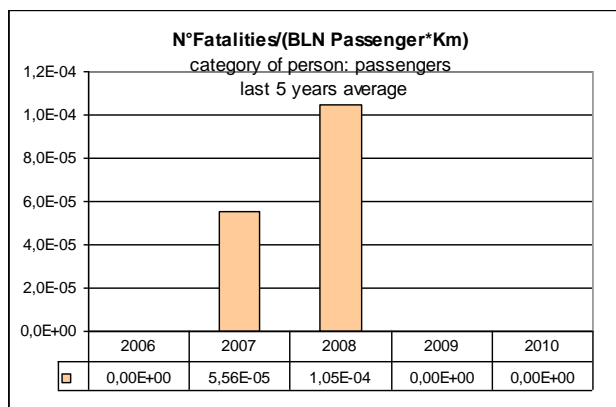
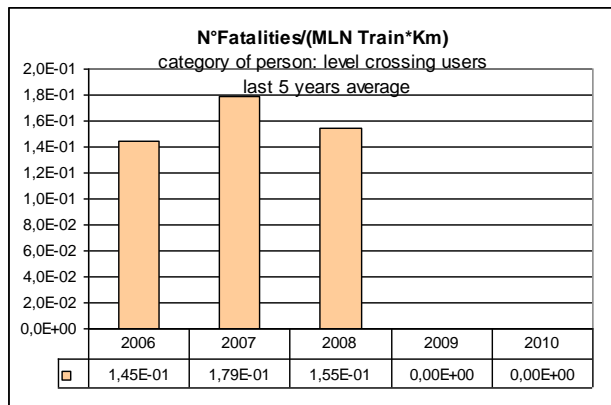
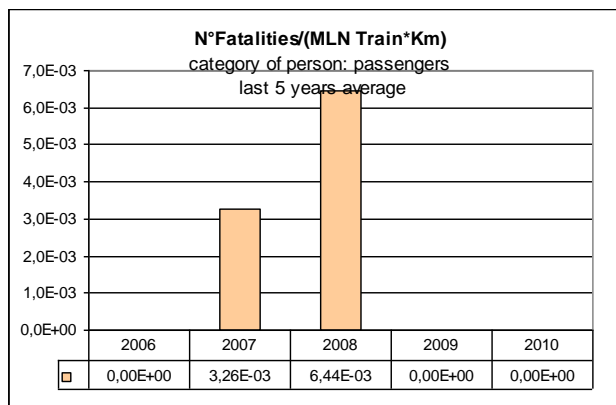


Serious accidents by category



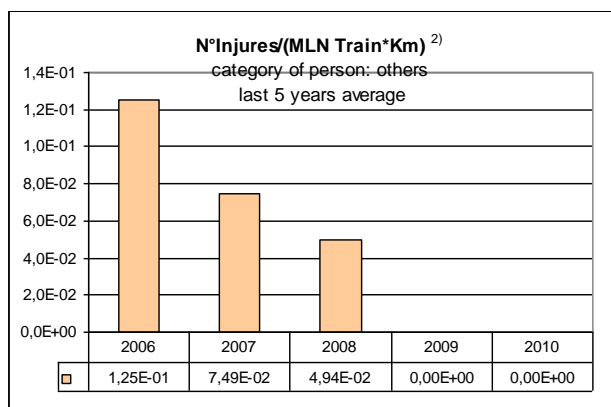
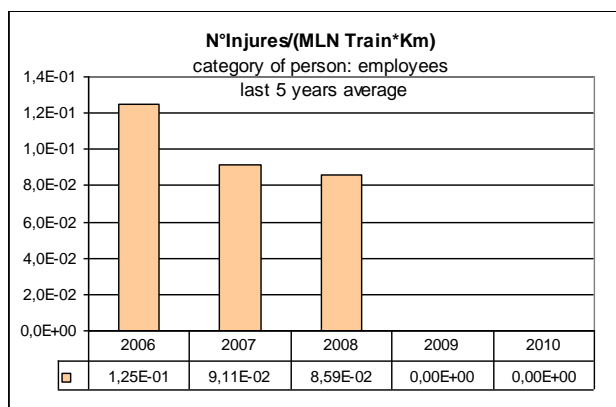
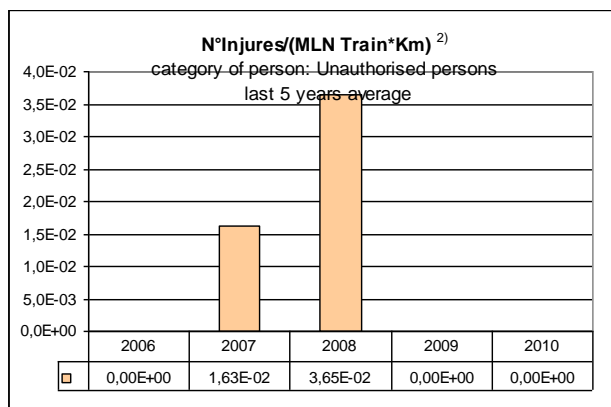
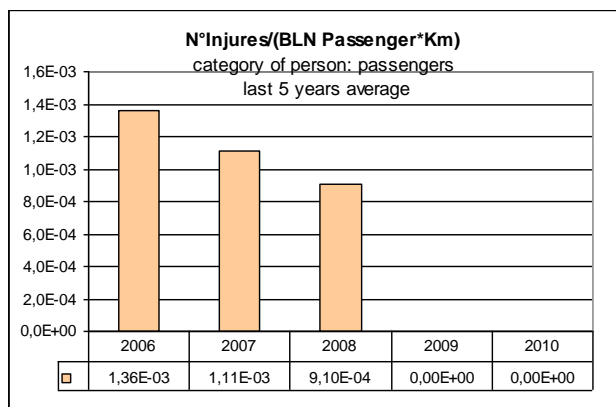
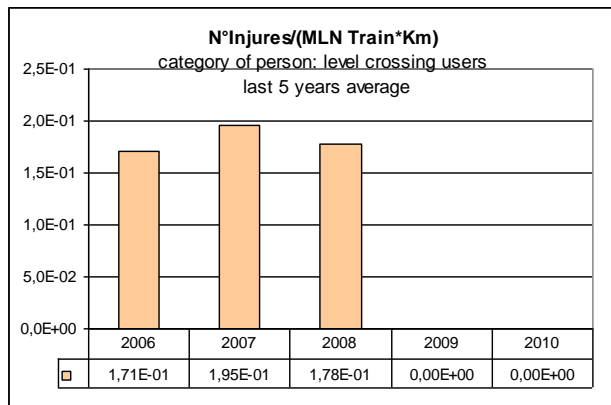
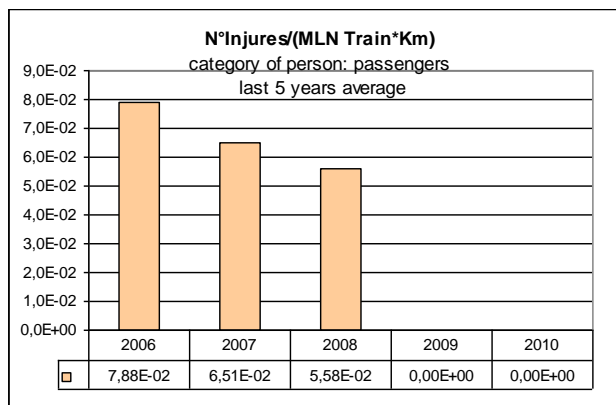
In the 2007 annual report (covering 2006) and the 2008 report (covering 2007), the number of accidents indicated for 2006 encompassed all accidents. These figures have been corrected, so that, in accordance with Regulation (EC) No 91/2003, as amended by Regulation (EC) No 1192/2003, the statistics for 2006 also reflect only serious accidents.

*Fatalities by category of victims*



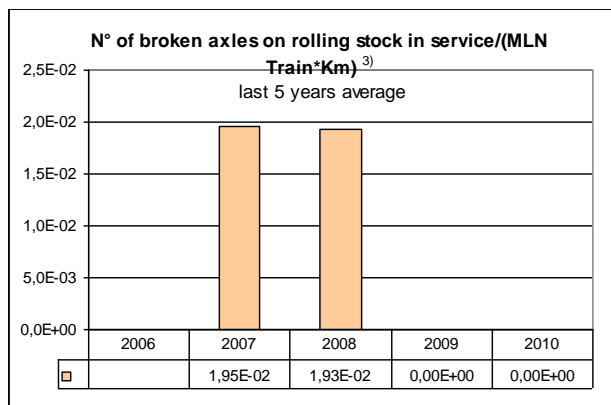
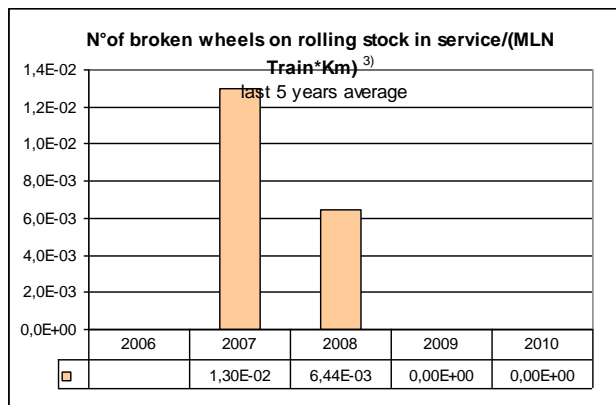
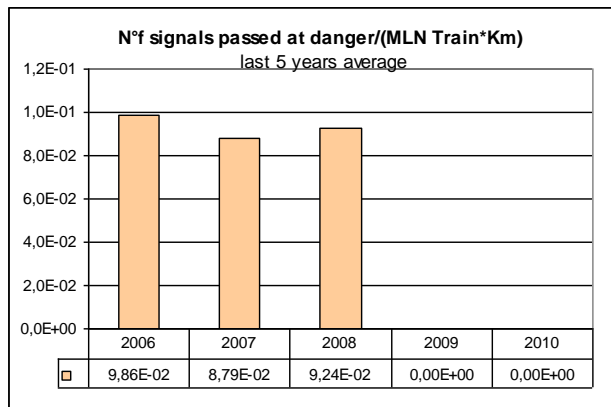
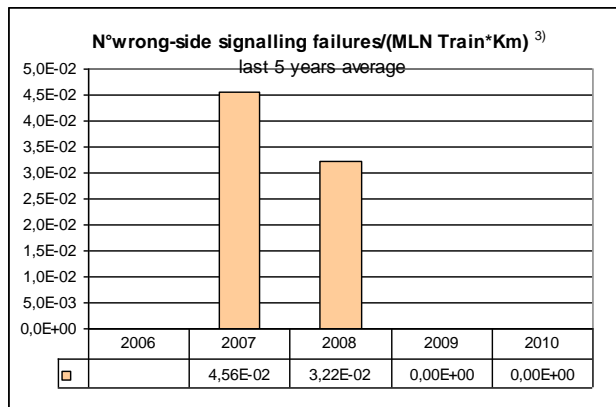
<sup>2)</sup> In reference year 2006, the 'other persons' category included unauthorised persons.

*Injuries by category of victims*



<sup>2)</sup> In reference year 2006, the 'other persons' category included unauthorised persons.

*Causes of accidents*



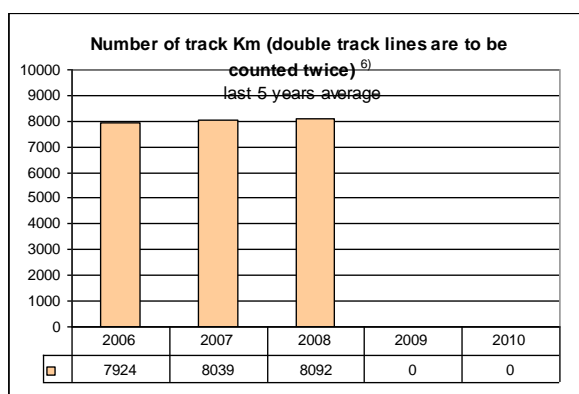
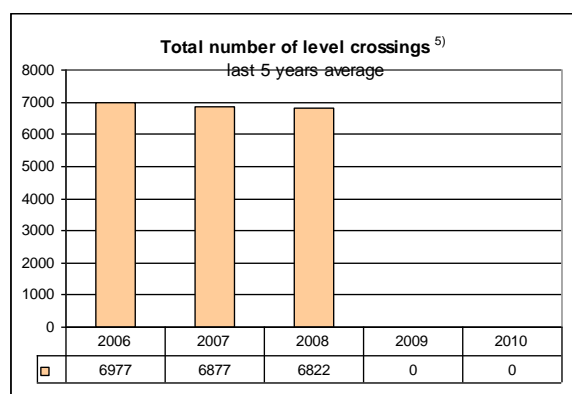
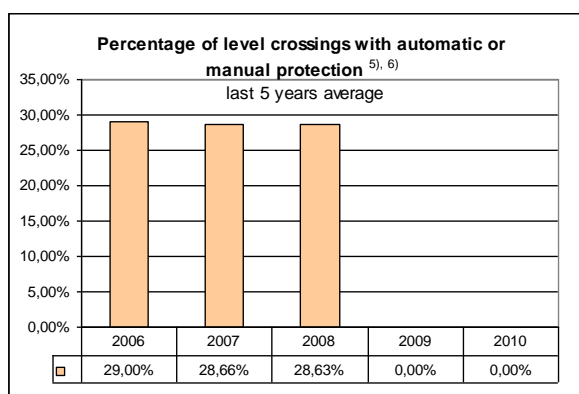
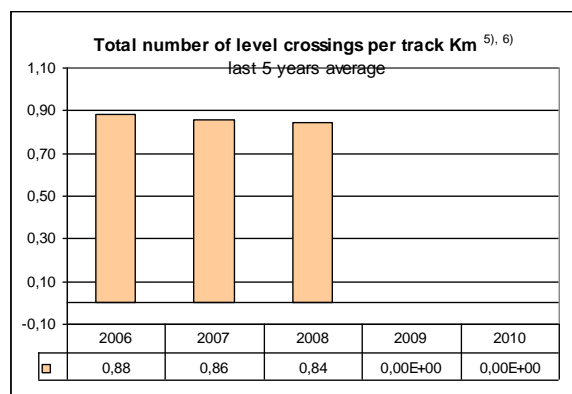
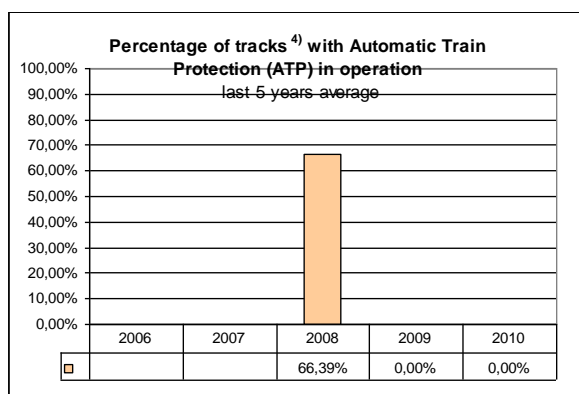
<sup>3)</sup> For the year 2006, it was not possible to distinguish uniformly whether incidents and near-misses had resulted from broken rails, rail buckling or signalling faults or from broken wheels or axles on rolling stock in service.

The numbers of broken and buckled rails were not available for all Railway Undertakings for the years 2006 to 2008, which means that there are no authoritative national figures for these indicators.

*Costs arising from all accidents; number of working hours of staff and contractors lost as a consequence result of accidents*

The cost of all accidents and the number of working hours lost were not available for all Railway Undertakings, which means that there are no authoritative national figures for these indicators.

*Technical safety of infrastructure and its implementation; management of safety*



<sup>4)</sup> The value for reference year 2008 relates to line kilometres. The indicators for Automatic Train Protection were not available for all Railway Undertakings for reference years 2006 and 2007, which means that there are no authoritative national figures for those years.

<sup>5)</sup> The total number of level crossings in 2007 as indicated in the report for 2007 has been corrected.

<sup>6)</sup> The total numbers of track km in 2006 and 2007 as indicated in the original reports for 2006 and 2007 have been corrected.

Tabular presentation:

**Number of significant accidents and Train\*Km**

Year	Type of accident						Total	Train*Km (MLN)
	Collisions	Derailments	Level crossing accidents	Accidents to persons caused by RS in motion	Fires in RS	Others		
2006	1	1	40	55	1	8	106	152
2007	4	3	55	27	1	14	104	155
2008	3	7	36	35	0	16	97	158
2009								
2010								
2011								
2012								
2013								
2014								
2015								

**Number of accidents/Train\*Km**

Year	Type of accident						Total
	Collisions	Derailments	Level crossing accidents	Accidents to persons caused by RS in motion	Fires in RS	Others	
2006	6,57E-03	6,57E-03	2,63E-01	3,61E-01	6,57E-03	5,26E-02	6,96E-01
2007	1,63E-02	6,51E-03	2,60E-01	3,58E-01	6,51E-03	5,21E-02	6,84E-01
2008	1,72E-02	6,44E-03	2,58E-01	3,54E-01	6,44E-03	5,15E-02	6,59E-01
2009							
2010							
2011							
2012							
2013							
2014							
2015							

**N° of fatalities, Train\*Km and Passenger\*Km <sup>2)</sup>**

Year	Category of persons						Passenger*Km (MLN)	Train*Km (MLN)
	Passengers	Employees	Level crossing users	Unauthorised persons	Others	Total		
2006	0	0	22	0	24	46	8830	152
2007	1	3	33	14	1	52	9149	155
2008	2	2	17	18	0	39	10600	158
2009								
2010								
2011								
2012								
2013								
2014								
2015								

**N° of fatalities/Train\*Km and Passenger\*Km <sup>2)</sup>**

Year	Category of persons						Total
	Passengers	Passengers	Employees	Level crossing users	Unauthorised persons	Others	
2006	0,00E+00	0,00E+00	0,00E+00	1,45E-01	0,00E+00	1,58E-01	3,02E-01
2007	3,26E-03	5,56E-05	9,77E-03	1,79E-01	4,56E-02	8,14E-02	3,19E-01
2008	6,44E-03	1,05E-04	1,07E-02	1,55E-01	6,87E-02	5,37E-02	2,94E-01
2009							
2010							
2011							
2012							
2013							
2014							
2015							

related to Train\*Km    related to Passenger\*Km    related to Train\*Km    related to Train\*Km    related to Train\*Km    related to Train\*Km    related to Train\*Km

**N° of injuries, Train\*Km and Passenger\*Km <sup>2)</sup>**

Year	Category of persons						Passenger*Km (MLN)	Train*Km (MLN)
	Passengers	Employees	Level crossing users	Unauthorised persons	Others	Total		
2006	12	19	26	0	19	147	8830	152
2007	8	9	34	5	4	60	9149	155
2008	6	12	23	12	0	53	10600	158
2009								
2010								
2011								
2012								
2013								
2014								
2015								

**N° of injures/Train\*Km and Passenger\*Km <sup>2)</sup>**

Year	Category of persons						Total
	Passengers	Passengers	Employees	Level crossing users	Unauthorised persons	Others	
2006	7,88E-02	1,36E-03	1,25E-01	1,71E-01	0,00E+00	1,25E-01	9,66E-01
2007	6,51E-02	1,11E-03	9,11E-02	1,95E-01	1,63E-02	7,49E-02	6,74E-01
2008	5,58E-02	9,10E-04	8,59E-02	1,78E-01	3,65E-02	4,94E-02	5,58E-01
2009							
2010							
2011							
2012							
2013							
2014							
2015							

related to Train\*Km    related to Passenger\*Km    related to Train\*Km    related to Train\*Km    related to Train\*Km    related to Train\*Km    related to Train\*Km

**Number of precursors and Train\*Km <sup>3), 7)</sup>**

Year	Type of accident						Total	Train*Km (MLN)
	Number of broken rails	Number of track buckles	Number of wrong-side signalling failures	Number of signals passed at danger	Number of broken wheels on rolling stock in service	Number of broken axles on rolling stock in service		
2006				15			186	152
2007			7	12	2	3	24	155
2008			3	16	0	3	22	158
2009								
2010								
2011								
2012								
2013								
2014								
2015								

**Number of precursors/Train\*Km <sup>3), 7)</sup>**

Year	Type of accident						Total
	Number of broken rails	Number of track buckles	Number of wrong-side signalling failures	Number of signals passed at danger	Number of broken wheels on rolling stock in service	Number of broken axles on rolling stock in service	
2006				9,86E-02			1,22E+00
2007			4,56E-02	8,79E-02	1,30E-02	1,95E-02	6,84E-01
2008			3,22E-02	9,24E-02	6,44E-03	1,93E-02	4,98E-01
2009							
2010							
2011							
2012							
2013							
2014							
2015							

**Technical safety of infrastructure and its impl., management of safety** <sup>4), 5), 6), 8)</sup>

Year	Type of accident						
	Percentage of tracks with Automatic Train Protection (ATP) in operation	Percentage of Train*Km using operational ATP systems	Total number of level crossings	Number of track Km (double track lines are to be counted twice)	Total number of level crossings per track Km	Percentage of level crossings with automatic or manual protection	N° of audits accomplished / N° of audits required (and/or planned)
2006			6977	7924	0,88	29,00%	
2007			6776	8154	0,83	28,32%	
2008	66,39%		6713	8197	0,82	28,57%	96,00%
2009							
2010							
2011							
2012							
2013							
2014							
2015							

**Technical safety of infrastructure and its impl., management of safety** <sup>4), 5), 6), 8)</sup>

Year	Type of accident						
	Percentage of tracks with Automatic Train Protection (ATP) in operation	Percentage of Train*Km using operational ATP systems	Total number of level crossings	Number of track Km (double track lines are to be counted twice)	Total number of level crossings per track Km	Percentage of level crossings with automatic or manual protection	N° of audits accomplished / N° of audits required (and/or planned)
2006			6977	7924	0,88	29,00%	
2007			6877	8039	0,86	28,66%	
2008	66,39%		6822	8092	0,84	28,63%	96,00%
2009							
2010							
2011							
2012							
2013							
2014							
2015							

- 2) In reference year 2006, the 'other persons' category included unauthorised persons.
- 3) For the year 2006, it was not possible to distinguish uniformly whether incidents and near-misses had resulted from broken rails, rail buckling or signalling faults or from broken wheels or axles on rolling stock in service.
- 4) The value for reference year 2008 relates to line kilometres. The indicators for Automatic Train Protection were not available for all Railway Undertakings, which means that there are no authoritative national figures for those indicators.
- 5) The total number of level crossings in 2007 as indicated in the report for 2007 has been corrected.
- 6) The total numbers of track km in 2006 and 2007 as indicated in the original reports for 2006 and 2007 have been corrected.
- 7) The numbers of broken and buckled rails were not available for all Railway Undertakings for the years 2006 to 2008, which means that there are no authoritative national figures for these indicators.
- 8) The indicators for the system of safety management were not yet applicable when the report for reference year 2007 was compiled.

The cost of accidents and the number of working hours lost were not available for all Railway Undertakings, which means that there are no authoritative national figures for these indicators.

In the 2007 annual report (covering 2006) and the 2008 report (covering 2007), the number of accidents indicated for 2006 encompassed all accidents. These figures have been corrected, so that, in accordance with Regulation (EC) No 91/2003, as amended by Regulation (EC) No 1192/2003, the statistics for 2006 also reflect only serious accidents.



## C.2 Definitions used in the annual report

### C.2.1 Definitions to be applied under Regulation (EC) No 91/2003, as amended by Regulation (EC) No 1192/2003:

#### **Fatalities (persons killed)**

means all persons killed immediately or dying within 30 days as a result of an accident, excluding suicides.

#### **Injured persons (persons seriously injured)**

means all injured persons who were hospitalised for more than 24 hours as a result of an accident, excluding attempted suicides.

#### **Passenger-km**

means the unit of measure representing the transport of one passenger by rail over a distance of one kilometre. Only the distance on the national territory of the reporting country is taken into account.

#### **Rail passenger**

means any person, excluding members of the train crew, who makes a trip by rail. For the purposes of accident statistics, passengers trying to board or alight from a moving train are included

#### **Suicide**

means an act to deliberately injure oneself resulting in death, as recorded and classified by the competent national authority.

#### **Serious accident**

means any accident involving at least one rail vehicle in motion, resulting in at least one person being killed or seriously injured or resulting in considerable material damage to rolling stock, tracks or other installations or to property in their vicinity or in significant traffic disruption. Accidents in workshops, warehouses and depots are excluded.

#### **Train**

means one or more railway vehicles hauled by one or more locomotives or railcars, or one railcar travelling alone, running under a given number or specific designation from an initial fixed point to a terminal fixed point. A light engine, i.e. a locomotive travelling on its own, is not considered to be a train.

#### **Train-km**

means the unit of measure representing the movement of a train over one kilometre. The distance used is the distance actually run, if available, otherwise the standard network distance between the origin and destination is used. Only the distance in the national territory of the reporting country is taken into account.

### C.2.2. National definitions

The national definitions and calculation methods for the items listed in Annex I to Directive 2004/49/EC are enumerated in this section, regardless of whether they are defined in that Directive and in Regulation (EC) No 91/2003, as amended by Regulation (EC) No 1192/2003.

#### **Accident**

as defined in Section 2(4) of the Accident Investigation Act (*Unfalluntersuchungsgesetz*, Federal Law Gazette I, No 123/2005):

*Section 2 (4) A rail accident is any event:*

- 1. in which rail vehicles are derailed or collide with each other,*
- 2. in which persons are killed or seriously injured, or*
- 3. in which vehicles, infrastructure or the environment sustain considerable damage and the regulation of railway safety or the management of safety is unequivocally affected.*

#### **Injured persons (persons seriously injured)**

as defined in Section 2(10) of the Accident Investigation Act (Federal Law Gazette I, No 123/2005):

*Section 2 (10) A serious injury is an injury which is suffered by a person in an accident and which*

- 1. necessitates hospitalisation for more than 24 hours within the seven days following the occurrence of the injury, or*
- 2. results in bone breaks other than simple fractures of fingers, toes or the nose, or*
- 3. results in cuts which cause severe bleeding or injuries to nerves, muscles or tendons, or*
- 4. results in cuts which cause damage to internal organs, or*
- 5. results in second- or third-degree burns or burns affecting more than 5% of total body surface, or*
- 6. is the result of proven exposure to infectious substances or harmful radiation.*

#### **Main lines and branch lines**

as defined in Section 4 of the Railways Act (*Eisenbahngesetz*) 1957 (Federal Law Gazette No 60/1957), as amended and promulgated in Federal Law Gazette I, No 125/2006:

*Section 4 (1) Main railway lines are railways of major transport significance devoted to public transport. These include those railways*

- 1. which, under Section 1 of the High-performance Railway Routes Act (Hochleistungsstreckengesetz, Federal Law Gazette No 135/1989), as amended, have been designated as high-performance routes;*
- 2. which the Federal Minister of Transport, Innovation and Technology has designated as main lines by statutory order because particular importance attaches to their role in an efficient transport system – particularly in providing international connections or regional transport – or because they are to be developed to perform such a role.*

*(2) Branch railway lines are rail lines designated for public transport which are neither main railway lines nor tramways.*

### **Main and branch lines belonging to the rail network**

as defined in Section 1a of the Railways Act 1957 (Federal Law Gazette No 60/1957), as amended and promulgated in Federal Law Gazette I, No 125/2006:

*Main and branch railway lines belong to the network if, over and above merely providing a local connection, they can be accessed by rolling stock operating on the rail network without break of gauge and without technical devices such as transporter wagons. Main and branch railway lines are also regarded as belonging to the network if they are linked across a border with other railways of the same type in a neighbouring country.*

### **High-performance routes**

as defined in Section 1 of the High-performance Railway Routes Act (*Hochleistungsstreckengesetz*, Federal Law Gazette No 135/1989), as amended and promulgated in Federal Law Gazette I, No 81/1999:

*Section 1 (1) The Federal Government may, by means of a statutory order (High-performance Railway Routes Order) designate existing or planned railway lines (routes or parts of routes, including the necessary railway installations) as high-performance routes. The prerequisite for such designation is that particular importance attaches to the role of these routes in an efficient transport system in providing international connections or local transport.*

*(2) Existing or planned railways may be designated as parts of high-performance routes if, while not possessing the characteristics described in paragraph 1 above, they are directly associated with high-performance routes and are essential to the rational management of railway operations or rail transport on high-performance routes.*

### **Rail-infrastructure manager**

as defined in Section 1a of the Railways Act 1957 (Federal Law Gazette No 60/1957), as amended and promulgated in Federal Law Gazette I, No 125/2006:

*Section 1a A rail-infrastructure manager is a railway undertaking which serves to construct and operate, and has the power of disposal over, main railway lines and branch lines other than those branch lines that are not linked into a network with other main or branch lines.*

### **Train operator**

as defined in Section 1b of the Railways Act 1957 (Federal Law Gazette No 60/1957), as amended and promulgated in Federal Law Gazette I, No 125/2006:

*Section 1b A train operator is a railway undertaking which provides rail-transport services on the track infrastructure of main lines or branch lines belonging to the rail network and provides for the traction; the term also applies to undertakings which provide only the traction service and have been issued with an operating licence, an operating concession or a licence or authorisation deemed equivalent to an operating licence under Section 41 of this Act.*

### C.3. Abbreviations

BMVIT	Federal Ministry of Transport, Innovation and Technology ( <i>Bundesministerium für Verkehr, Innovation und Technologie</i> )
CFR	Romanian State Railways
CSI	Common Safety Indicator
CSMs	Common Safety Methods
ERA	European Railway Agency
IM	Infrastructure Manager
NSAs	National Safety Authorities
ÖBB	Austrian Federal Railways ( <i>Österreichische Bundesbahnen</i> )
RCA	Rail Cargo Austria AG
RIV	Agreement governing the exchange and use of wagons between Railway Undertakings
RS	rolling stock
RU	Railway Undertaking
UIC	International Railway Union ( <i>Union internationale des chemins de fer</i> )
UUS	Federal Accident Investigation Body ( <i>Unfalluntersuchungsstelle des Bundes</i> )
WLB	<i>Aktiengesellschaft der Wiener Lokalbahnen</i> : company operating Viennese local rail services
ZSB	<i>Zusatzbestimmungen zur Signal- und zur Betriebsvorschrift</i> (supplementary signalling and operating regulations)

**ANNEX D: Important changes in legislation and regulation**

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
<b>General national safety legislation</b>				
Legislation concerning the National Safety Authority				
Legislation concerning notified bodies, assessors, third-party bodies for registration, examination, etc.				
<b>National rules concerning railway safety</b>				
Rules concerning national safety targets and methods				
Rules concerning requirements for safety-management systems and safety certification of Railway Undertakings				
Rules concerning requirements for safety-management systems and safety authorisation of Infrastructure Managers				
Rules concerning requirements for wagon keepers				
Rules concerning requirements for maintenance workshops				
Rules concerning requirements for the authorisation of placing in service and maintenance of new and substantially altered rolling stock, including rules for exchange of rolling stock between Railway Undertakings, registration systems and requirements for testing procedures				

	Legal reference	Date legislation comes into force	Reason for introduction (Additionally specify new law or amendment to existing legislation)	Description
Common operating rules of the railway network, including rules relating to signalling and traffic procedures	Railway Construction and Operation Order ( <i>Eisenbahnbau- und betriebsverordnung</i> ), Federal Law Gazette II, No 398/2008	1 January 2009	New statutory order creating industry-wide safety standards	Sets industry-wide safety standards on the basis of the provisions of European and Austrian railway law. It focuses chiefly on the interface between Infrastructure Managers and train operators and on the establishment of a link between technical specifications and the conduct of railway operations.
Rules laying down requirements for additional operating rules (company rules) that must be established by the Infrastructure Managers and Railway Undertakings				
Rules concerning requirements for staff executing safety-critical tasks, including selection criteria, medical fitness and vocational training and certification	Railway Construction and Operation Order ( <i>Eisenbahnbau- und betriebsverordnung</i> ), Federal Law Gazette II, No 398/2008	1 January 2009	New statutory order creating industry-wide safety standards	See description above
Rules concerning the investigation of accidents and incidents, including recommendations				
Rules concerning requirements for national safety indicators, including how to collect and analyse the indicators.				
Rules concerning requirements for authorisation of placing in service of infrastructure (tracks, bridges, tunnels, energy, ATC, radio, signalling, interlocking, level crossings, platforms, etc.)				

## ANNEX E: The development of safety certification and authorisation – numerical data

### E.1 Safety certificates under Directive 2001/14/EC

Number of safety certificates issued (by the Infrastructure Manager) in accordance with Directive 2001/14/EC held by Railway Undertakings in the year 2007	being licensed in your Member State:	
	being licensed in another Member State:	

### E.2 Safety certificates under Directive 2004/49/EC

		New	Updated/ amended	Renewed
E.2.1 Number of valid Safety Certificates <b>Part A</b> held by Railway Undertakings in the year 2008	being registered in your Member State:	1		
	being registered in another Member State:			

		New	Updated/ amended	Renewed
E.2.2 Number of valid safety certificates <b>Part B</b> held by Railway Undertakings in the year 2008	being registered in your Member State:	1		
	being registered in another Member State:			

			A	R	P
E.2.3 Number of applications for Safety Certificates <b>Part A</b> submitted by Railway Undertakings in the year 2008	being registered in your Member State for:	new certificates	1		9
		updated/amended certificates			
		renewed certificates			
	being registered in another Member State for: (not actually possible???)	new certificates			
		updated/amended certificates			
		renewed certificates			
			A	R	P
E.2.4 Number of	being registered in	new certificates	1		9

applications for Safety Certificates <b>Part B</b> received from Railway Undertakings in the year 2008	your Member State for:	updated/amended certificates			
		renewed certificates			
	being registered in another Member State for:	new certificates			5
		updated/amended certificates			
		renewed certificates			

A = Accepted application; certificate is already issued

R = Rejected application; no certificate was issued

P = Case is still pending; no certificate was issued in the reference year

**E.2.5** List of countries where RUs applying for a Safety Certificate Part B in your Member State have obtained their Safety Certificate Part A

In reference year 2008, no Railway Undertaking with a valid Part A issued by another country has applied for a Safety Certificate Part B.

**E.3 Safety authorisations under Directive 2004/49/EC**

	New	Updated/ amended	Renewed
E.3.1 Number of valid Safety Authorisations held in the year 2008 by Infrastructure Managers registered in your Member State	5		



		A	R	P
E.3.2 Number of applications for Safety Authorisations submitted in the year 2008 by Infrastructure Managers registered in your Member State	new authorisations	8*		2
	updated/amended authorisations			
	renewed authorisations			

A = Accepted application; authorisation is already issued

\* includes three applications where the final legal force is pending

R = Rejected application; no authorisation was issued

P = Case is still pending; no authorisation was issued in the reference year

#### E.4 Procedural aspects – Safety Certificates Part A

		New	Updated/ amended	Renewed
Mean time, after having received all necessary information, between the receipt of an application and the final delivery of a Safety Certificate <b>Part A</b> in the year 2008 for Railway Undertakings	holding a licence issued in your Member State:			
	holding a licence issued in another Member State:			

Since only one procedure was completed in reference year 2008, no meaningful statement can be made regarding the average duration of the procedure.

#### E.4 Procedural aspects – Safety Certificates Part B

		New	Updated/ amended	Renewed
Mean time, after having received all necessary information, between the receipt of an application and the final delivery of a Safety Certificate <b>Part B</b> in the year 2008 for Railway Undertakings	holding a licence issued in your Member State:			
	holding a licence issued in another Member State:			

Since only one procedure was completed in reference year 2008, no meaningful statement can be made regarding the average duration of the procedure.

#### E.6 Procedural aspects – Safety Authorisations

		New	Updated/ amended	Renewed
Mean time, after having received all necessary information, between the receipt of an application and the final delivery of a Safety Authorisation in the year 2008 for Infrastructure Managers	holding a licence issued in your Member State:	5 Months.		