

Austria

Annual Report of the National Safety Authority for the year 2011

in accordance with Article 18 of Directive 2004/49/EC 'Directive on safety on the Community's railways' transposed by Article 13a Railways Act 1957

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A.1. Scope of the report

This annual report covers the activities of the national safety authority (NSA) in respect of the operation of main line railways and secondary railways connected to them, the operation of rail vehicles on such railways and traffic on such railways in Austria in the year 2011. It falls within the meaning of Directive 2004/49/EC of 29 April 2004, OJEU L164 of 30 April 2004 'Directive on safety on the Community's railways' as last amended by Directive 2009/149/EC of 27 November 2009, OJEU L313 of 28 November 2009 which was transposed by Article 13a Railways Act 1957 (Eisenbahngesetz (EisbG)), Federal Law Gazette (Bundesgesetzblatt (BGBI.)) No 60/1957 as last amended by BGBI. I No 50/2012,

A.2. Summary in English

In Austria, general duties for railway undertakings and infrastructure managers are laid down in the Railways Act 1957, published in BGBI No 60/1957, as last amended by BGBI. I No 50/2012. Railway undertakings' detailed regulations for the training and behaviour of staff concerned with safety critical tasks are subject to authorisation by the Railway Safety Authority (Eisenbahnsicherheitsbehörde).

The Federal Safety Investigation Authority – 'Sicherheitsuntersuchungsstelle (SUB)' set up as an independent body in accordance with the regulations in the 'Bundesgesetz über die unabhängige Sicherheitsuntersuchung von Unfällen und Störungen (Unfalluntersuchungsgesetz – UUG 2005)', Accident Investigation Act published in BGBI I No 123/2005 as last amended by 'BGBI. I No. 40/2012' started its work to investigate accidents and incidents in accordance with Article 21 of the Railway Safety Directive on 1 January 2006.

The SUB collects safety indicators relating to accidents, incidents and near-misses, and relating to the technical safety of infrastructure and its implementation.

Safety performance at Member State level is controlled at different levels e.g. by approval process for subsystems, maintenance rules, by accident and incident investigation. Railway undertakings and infrastructure managers have to fulfil obligations for periodic checking, reviewing and inspections as well as internal controls. Furthermore, safety performance is individually checked in the event of certain incidents.



The Federal Ministry of Transport, Innovation and Technology (Bundesministerium für Verkehr, Innovation und Technologie (bmvit)), acting as the NSA, authorises putting subsystems into service, controls the operation of railway undertakings and infrastructure managers, supervises the compliance of technical equipment, authorises bringing new or substantially altered rolling stock into service and monitors, promotes and develops the safety regulatory framework, notwithstanding the general responsibility of the railway undertakings and infrastructure managers themselves.

Existing, new and updated national safety rules are published on the website of the Federal Ministry of Transport, Innovation and Technology (www.bmvit.gv.at/en/verkehr/railway/index.html).

The Austrian National Safety Authority's Annual Report concerns its activities in the year 2011 in accordance with the Directive on safety on the Community's railways (Directive 2004/49/EC, the Railway Safety Directive).

This report contains comprehensive information on the railway system in Austria. This is shown in Parts A, B and C and also in the related annexes.

Safety recommendations made as a result of the investigation of accidents, incidents and precursors to accidents during the reporting year are listed in Part D.

Part E reports important changes in legislation and regulation concerning railway safety in 2011.

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

A description of the results of and experience relating to the supervision of infrastructure managers and railway undertakings is given in Chapter G.

Part H provides initial comments on the application of the CSM to risk evaluation and assessment.



B. Introductory section

1. Introduction to the report

Article 18 of Directive 2004/49/EC, transposed by Article 13a Railways Act 1957, provides the statutory basis for drawing up the annual report:

Annual report

Article 13a. (1) The Federal Minister for Transport, Innovation and Technology shall prepare a report every year on his activities during the previous year in respect of the operation of main line railways and secondary railways connected to them, the operation of rail vehicles on such railways and traffic on such railways. The annual report shall be published on the internet on the website of the Federal Minister for Transport, Innovation and Technology at the latest by 30 September of the calendar year following the year to which the report refers and shall also be submitted to the European Railway Agency.

- (2) The annual report shall contain the following information:
- 1. an aggregation of the common safety indicators in accordance with Annex I to Directive 2004/49/EC;
- 2. important changes in federal legislation and regulations made on the basis of federal law which relate to the construction or operation of the railways listed in paragraph 1, the operation of rail vehicles on such railways and traffic on railways;
- 3. the development of safety certification and safety authorisation;
- 4. results of and experience relating to the supervision of infrastructure managers and railway undertakings.

In addition, in accordance with Article 9 of Regulation (EC) 2009/352 of 24 April 2009 on the adoption of a common safety method (CSM) on risk evaluation and assessment, the experience of the proposers with the application of the CSM on risk evaluation and assessment, and, where appropriate, its own experience is to be reported.



The annual report within the meaning of the directive is based on an evaluation of the Federal Safety Investigation Authority's data in accordance with Article 13a (3) Railways Act:

'Article 13a (3) The Accident Investigation Bureau (sic) (Article 3 Investigation Bureau Act, BGBl. I No 123/2005) shall make available the data necessary for aggregating the common safety indicators for the year to the Federal Minister for Transport, Innovation and Technology at the latest by 30 June of the calendar year following in an electronic form.'

together with evaluation of the safety reports in accordance with Article 39d Railways Act:

Safety report

Article 39d. Railway undertakings which have their registered office in Austria and infrastructure managers which have their registered office in Austria shall submit a safety report every year for the previous calendar year to the authorities before 30 June which shall contain the following:

- 1. information on how the organisation's corporate safety targets are met;
- 2. the Austrian and common safety indicators in so far as they are relevant to the railway undertaking in question;
- 3. the results of internal safety auditing;
- 4. observations on deficiencies and malfunctions which have compromised the safety of railway operations, the operation of rail vehicles on the railway or traffic on the railway.

The annual report is prepared in accordance with documents issued by the European Railway Agency:

- 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
 - Annex A.1. shows the rail network map;
 - Annex A.2. shows a list of the railway undertakings (RU) and infrastructure managers (IM).

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Bundesministerium für Verkehr, Innovation und Technologie

3. Summary – general trend analysis

The following paragraphs summarise the development of the common safety indicators for the years 2007 to 2011 insofar as the data available allows that.

Eighty-four serious accidents within the scope of the Railway Safety Directive were reported in 2011. This compares with seventy-nine in the previous year (2010).

The total number of fatalities was thirty-five in the year in question and the number seriously injured was forty-five. The figures for 2010 were thirty fatalities and forty-nine seriously injured.

In total, the overall figures for significant accidents and the total number of fatalities demonstrate a rising trend compared with 2010. This is attributable to the increasing number of level crossing accidents. On the other hand, for other types of accidents (see Annex C) the accident-related indicators are approximately stable (accidents caused by rolling stock in motion, derailments) or falling (collisions, other) compared with 2010.

'Level crossing users' followed by 'unauthorised persons on railway premises' formed the largest categories of persons seriously injured and killed.

Annex C.1. contains data on the individual CSIs for 2011 together with notes referring to the various common safety indicators.



C. Organisation

1. Introduction to the organisation

National safety authority for safety authorisation and safety certification:

(for railway infrastructure managers of main line railways and railway undertakings which are authorised to operate on main line railways and secondary railways connected to them):

Federal Minister of Transport, Innovation and Technology (Bundesministerin für Verkehr, Innovation und Technologie) (bmvit) Radetzkystraße 2 A-1030 Wien [Vienna] Tel.: +43-1-71162-65-0 Fax: +43-1-71162-652298 E-mail: iv-sl@bmvit.gv.at Web: www.bmvit.gv.at/verkehr/eisenbahn

Article 12(3) Railways Act contains the provisions defining the competence of the Federal Minister of Transport, Innovation and Technology as a safety authority.

Other safety authorities:

(in every case, the Governor (Landeshauptmann) of the relevant one of the nine Federal Provinces is the railway safety authority for infrastructure managers who only manage secondary railways which are connected):

Governor of Burgenland (Landeshauptmann von Burgenland) Europaplatz 1 A-7000 Eisenstadt

Governor of Carinthia (Landeshauptmann von Kärnten) Arnulfplatz 1 A- 9020 Klagenfurt



Governor of Lower Austria (Landeshauptmann von Niederösterreich) Landhausplatz 1 A-3109 St. Pölten

Governor of Upper Austria (Landeshauptmann von Oberösterreich) Landhausplatz 1 A- 4021 Linz

Governor of Salzburg (Landeshauptfrau von Salzburg) Chiemseehof A-5010 Salzburg

Governor of Styria (Landeshauptmann der Steiermark) Hofgasse 15 A-8010 Graz

Governor of the Tyrol (Landeshauptmann von Tirol) Eduard-Wallnöfer-Platz 3 A-6020 Innsbruck

Governor of Vorarlberg (Landeshauptmann von Vorarlberg) Landhaus A-6900 Bregenz

Governor of Vienna (Landeshauptmann von Wien) Lichtenfelsgasse 2 A-1010 Wien [Vienna]

Article 12(2) Railways Act contains the provisions defining the competence of Governors as authorities.



Labour inspectorate:

Federal Ministry of Labour, Social Affairs and Consumer Protection [Bundesministerium für Arbeit, Soziales und Konsumentenschutz (bmask)] Labour Law and Central Labour Inspectorate Section VII [Arbeitsrecht und Zentral-Arbeitsinspektorat, Sektion VII] Transport Labour Inspectorate [Verkehrs-Arbeitsinspektorat] Stubenring 1 A-1010 Wien [Vienna] Tel.: +43-1-71100-0 Fax: +43-1-71100-2190 E-mail: post@bmask.gv.at Web: www.bmask.gv.at

Federal Safety Investigation Authority:

Accident investigating body within the meaning of Directive 2004/49/EC for the investigation of railway operating accidents and incidents:

Federal Office for Transport [Bundesanstalt für Verkehr] Federal Safety Investigation Authority, Rail Section [Sicherheitsuntersuchungsstelle des Bundes, Schiene] Trauzlgasse 1 A-1210 Wien [Vienna] Tel.: +43-1-71162-659150 Fax: +43-1-71162-659298 E-mail: uus-schiene@bmvit.gv.at Web: versa.bmvit.gv.at

The statutory bases are contained in the Accident Investigation Act (BGBI. I No 123/2005 most recently amended by BGBI. I No 40/2012) and the Rail Accident Reporting Regulation 2006 (MeldeVO-Eisb 2006) (BGBI. II No 279/2006).



The Reporting Regulation governs:

Article 1. ... the scope and form of reports of accidents and incidents which arise during the operation of a main line or secondary railway (Article 4 Railways Act 1957, BGBl. No 60), a connecting railway (Article 7 Railways Act 1957, BGBl. No 60) or a tramway which operates exclusively on its own formation, such as underground railways (Article 5 para. 1 Z 2, Railways Act 1957, BGBl. No 60), and the operation of rail vehicles on such railways.

Rail Regulator:

Rail Control Commission (Schienen-Control Kommission (SCK)), Rail Control, Austrian Company for Rail Market Regulation (Schienen-Control, Österreichische Gesellschaft für Schienenmarktregulierung mit beschränkter Haftung) (Schienen-Control GmbH) Praterstraße 62-64 A-1020 Wien [Vienna] Tel.: +43-1-5050707-0 Fax: +43-1-5050707-180 E-mail: office@schienencontrol.gv.at Web: www.schienencontrol.gv.at

The SCK is the Austrian railway regulator in accordance with Directive 2001/14/EC Article 20 and was established by the Railways Act in 1999.

2. Organisation chart

Annex B.1. shows the organisation chart for the Federal Ministry of Transport, Innovation and Technology as the national safety authority.

Annex B.2. shows the organisation chart for the Federal Office for Transport's Federal Safety Investigation Authority.



D. The development of railway safety

1. Initiatives to maintain and improve safety

The following section lists the most important safety recommendations¹ made in accident investigation reports in 2011:

| Table D.1 – Safet | v measures triggered b | v accidents and | precursors to accidents |
|-------------------|------------------------|-----------------|-------------------------|
| | , | j | |

| Date of the event | Description of the event | Safety recommendation ¹⁾ | | | | | | |
|-------------------|-------------------------------|--|----------|-------|------------|--|-------------------|---|
| 1 Sept. 09 | Derailment of a freight train | Ensure that the findings of ERRI S1081 [The Behaviour of wagons loads at higher speeds] are taken into account in the UIC Loading Regulations and in railway undertaking regulations. Ensure that wagons with similar inadequate load securing are brought up to the state of the art. That means: providing progressively adjustable positioning of the lateral securing system against the coil so that there is no space between the coil and the securing system; providing adequate means of locking the lateral securing system in the position intended so that it is not possible to raise the arms. Ensure that the following limiting values are laid down for the standard deviation of the longitudinal profile taken over 200 metres in staff instruction DB IS 2 – Part 1: | | | | າ | | |
| | | Vmax [km/h] Length of Alert limit Intervention Immediate | | | | | Immediate | |
| | | | the sect | tion | [mm] | limit*) [mm] | action limit*) | |
| | | | [m] | | | | [mm] | - |
| | | 120 < v ≤ 160 | 200 | | 1.9 | 2.42*) | 2.94*) | |
| | | *) extrapolated from the relationship intervention limit/aler immediate action limit/intervention limit *) Investigate whether the alert limit, intervention limit and immediate for cant excess and deficiency should be redefined in staff instru- Part 1 | | | | mit/alert limit and mmediate action lim ff instruction DB IS | nit 2 | |
| | | Section and t | rack | Alert | limit [mm] | Intervention | Immediate | |
| | | category | | | | limit [mm] | action limit [mm] | |
| | | In section categories S ± 5 | | ±5 | ± 10 | ± 15 | | |
| | | and 1 in track cat | egory a | | | | | |
| | | in all other see | ction | | ± 10 | ± 15 | ± 20 | |
| | | categories and | tracks | | | | | |

¹⁾ Safety recommendations which the Safety Investigation Authority had made at the time the report went to press are shown, they do not yet represent commitments to take action on safety measures however.



| Date of the event | Description of the event | S | afety recomm | endation ¹⁾ | | |
|-------------------|--------------------------|---|------------------|----------------------------|--------------------------------|--|
| | | Investigate whether the technical preconditions - to be able to determine the difference between the design cant and the actual cant measured - should be satisfied on permanent way measurement vehicle EM250. Ensure that the most recently collected track alignment data is checked on the basis of findings and safety recommendations. Ensure that an appropriate speed restriction is imposed over sections of track which is severely contaminated (where there is pumping) until the track can be examined in accordance with A-71/2011. Ensure that the evaluation of data from the train running check points takes account of the provisions of ÖBB loading instructions [Beladetarif], Appendix 2, Volume 1 'Principles', point 3.3 'Distribution of loads' Ensure that the tare weight of the loading securing equipment is taken into account in the wagon list. Ensure that an alert limit, an intervention limit and an immediate action limit for the difference between mean and peak values is set down for the 3 metre twist in staff instruction DB IS 2 – Part 1 [Maintenance Plans for Permanent Way Installations]: | | | | |
| | | Vmax [km/h] | Alert limit [mm] | Intervention | Immediate | |
| | | | | limit [mm] | action limit [mm] | |
| | | ≤ 160 | 2. | 3.5 | 4.2 | |
| | | >160 | 2.7 | 3.2 | 3.5 | |
| | | Ensure that an alert limit, an intervention limit and an immediate action limit for the difference between mean and peak values is set down for the 9 metre twist in staff instruction DB IS 2 – Part 1: | | | | |
| | | Vmax [km/h] | Alert limit [mm] | Intervention limit [mm] | Immediate action limit [mm] | |
| | | ≤ 160 | 2.2 | 2.5 | 2.8 | |
| | | >160 | 2.0 | 2.2 | 2.5 | |
| | | Ensure that an alert limit, an intervention limit and an immediate action limit for the difference between mean and peak values is set down for the 16 metre twist in staff instruction DB IS 2 – Part 1: Vmax [km/h] Alert limit [mm] Intervention Immediate | | | | |
| | | | | limit [mm] | action limit [mm] | |
| | | ≤ 160 | 2.0 | 2.1 | 2.5 | |
| | | >160 | 1.8 | 2.0 | 2.2 | |
| | | Investigate whether there should be a review of the way the trace [from permanent way measurement vehicles] shows deviation in track alignment in the case of a derailment. If logs or representations of the trace are provided in a digital format as pdf files, it will therefore be necessary to: choose the resolution to be so high as to allow clear lines to be seen; find data about the scale on the log by using principal and ancillary grid | | | | |



| Date of the event | Description of the event | Safety recommendation ¹⁾ |
|-------------------|-------------------------------|--|
| | | lines which will allow the magnitude of the values measured to be determined; choose the scales such that it is possible to determine the first decimal place or require the highest values reached to be printed; show the limit lines and title them properly so that it is clear which limiting value applies, what value it has and what type of intervention limit it shows; • provide overlaps of at least 100 metres in the case of piecemeal handover of sections. Investigate whether the sets of regulations necessary for the maintenance of the infrastructure should have to be approved by the railway authorities. Ensure that where wagons are handed over at frontiers and for trains subject to agreements on technical examination on handover that no faults arise, such as: insufficient clearance between the grab handles and the vehicle body and air brake valves not complying with the requirements of UIC leaflet 541-1 [Regulations concerning the design of brake components]. |
| 29 Jan. 10 | Derailment of a freight train | Ensure that when trains are formed up the condition of the couplings conforms to the regulations. Investigate whether the provisions on couplings in DV V3, Article16 fourth para must be defined more precisely. For example, after bringing buffer faces together on straight track, more than one but not more than two turns on the screw are to be made so that the counterweight can be placed in the bracket provided for it. Investigate staff instruction DB IS 2, Part 1 point 3.1.3 standard deviation of the mean longitudinal profile values over 100m for intervention limit and immediate action limit. Provide the railway authorities in question with a table showing track displacements. This table should include every section of line where the standard deviation of the longitudinal profile has been exceeded, the measures planned and the timescales for it to be remedied. Ensure that for all ranges of speeds an immediate action limit for the difference between mean and peak values is set down for the 3 metre twist in staff instruction DB IS 2 – Part 1 point 3.1.6 [Maintenance Plans for Permanent Way Installations] and likewise for the differing heights in accordance with staff instruction DB IS 2 – Part 1 point 3.1.7. Investigate whether the sets of regulations necessary for the maintenance of the infrastructure should have to be approved by the railway authorities. |
| 16 June 10 | Derailment of a freight train | For car transporter wagons of type 23 87 437 2 xxx-x which have that or a similar design of linkage and suspension of the brake coupling between the two wagon halves, ensure that until this class of vehicle can be rebuilt the brake coupling is suspended and secured safely (two cable clips fitted, cable clips firmly secured, undamaged cable and securing loop), safe support is provided for the brake coupling between the rail level and screw coupling components, brake coupling components and the support system. These features should be checked by means of special examinations of the wagons in question in the vehicle owner's [=keeper's?] servicing workshops. Until the special examinations are complete, the vehicle owner should organise checking of these features in service, for example when loading or unloading. |



| Date of the event | Description of the event | Safety recommendation ¹⁾ |
|-------------------|---|--|
| | | • For car transporter wagons of type 23 87 437 2 xxx-x which have that or a similar design of linkage and suspension of the brake coupling between the two wagon halves, until this class of vehicle can be rebuilt, it is recommended |
| | | If the call end of the cape of th |
| | | workshop instructions to the workshops responsible for servicing in each case. For car transporter wagons of type 23 87 437 2 xxx-x which have that or a similar design of linkage and suspension of the brake coupling between the |
| | | two wagon halves, it is recommended as a medium term measure to replace the brake coupling between the two sections of the wagon by a through air pipe without a coupling. ZOV 48 [Handling and storage of permanent way materials] and ZSB 9 [Keeping the track clear] covering stacking of rails for scrap and re-use on and around the track should be aligned as appropriate with ZOV 7 [Lineside structure gauge] to create a single set of regulations. |
| 09 Dec. 10 | Broken axle on a freight train and subsequent | • Ensure that 'exact testing' and 'occasional simplified testing' in accordance with the provisions for this type of crack are recognised where ultrasonic testing (UT) is manual. |



| Date of the event | Description of the event | Safety recommendation ¹⁾ |
|-------------------|---|--|
| | derailment went being shunted | Investigate whether the technical rules permit the use of the 'simplified ultrasonic test'. Investigate whether recognised European sets of regulations for maintenance (for example, those of the UIP) must be used in future for testing wheelsets. Ensure that the stress relieving grooves on the journals of axles have been cut in accordance with the regulations: EN 13103:2001, diagram 7 – transition shape between: axle journal (bearing journal) and wheelseat (collar); and EN 13261:2006-01-01, Table 7 – surface condition Ra These EN are based on UIC leaflets UIC 515-3 and UIC 811-2 Ensure that the following processes which were developed by the Task Force Maintenance of Freight Wagons for the maintenance and documentation of wheelsets are used: EVIC (European Visual Inspection Catalogue) EWT (European Wheelset Traceability) Investigate whether there is sufficient time available for the technical inspection of wagons [on handover]. Investigate whether wheelsets on which safety recommendation A-01/2011 has been implemented should be specially marked. |
| 10 Feb. 10 | Near miss of two passenger trains and collision with a car | Ensure that journey reports which are no longer valid do not remain in the cab but are taken from the locomotive/unit as a set of papers to a designated point for archiving. Ensure that the station controlling a section of line receives reliable information about the running of trains in good time. Make random checks of permitted speeds (for example, with radar guns). Investigate whether the event [accident, etc.] should be reviewed by other infrastructure managers with similar operational practices for in-service training and/or for consideration within their safety management system. |
| 10 Feb. 11 | Injury to a non- railway person by electrocution | Check all overhead power isolating switches in loading sidings concentrating on the linkage. Make staff members responsible for isolating loading siding catenary aware of the provisions of Appendix 12.1, point 1.5, of DV V EL 52 'Regulations for Electric Operation'. Investigate whether and to what extent the staff member responsible for isolating the loading siding catenary can make a visual inspection of the isolating switch for completeness and integrity in addition to the provisions of Appendix 12.1, point 1.5, of DV V EL 52 'Regulations for Electric Operation'. In connection with the recent sharp increases in theft of non-ferrous metals (copper cables) the visual inspection mentioned in the safety recommendation should include (in so far as it is possible) the presence and integrity of earthing cables. |
| 19 April 11 | Collision of a passenger train with a car | • The level crossing in question like other level crossings in the immediate area has been continuously supervised by the police. Hence it has been established that to a large extent road users do not comply with the requirement to stop before level crossings. Crossing against a red light or ignoring the 'halt' road sign is regarded as a minor offence without consequences although the consequences of an accident are to be regarded as serious. Since the typical consequences of an accident involving a collision between a rail vehicle and a road user compared with those between two normal road users are significantly more serious the penalties imposed for disregarding traffic regulations should also be significantly higher. |



| Date of the event | Description of the event | Safety recommendation ¹⁾ |
|-------------------|---|---|
| 25 April 11 | Injury to a passenger | • When running trains with double-decker coaches of type Bbfmpz of the number series 80 33 railway undertakings are to ensure by suitable means that no doors can be opened except at platforms. |
| 11 May 11 | Collision of a passenger train with a car | Investigate whether road users' attentiveness (particularly those approaching from Eisenstadt) would be increased by the installation of a variable message sign. |
| | | |
| | | In their decision dated 11 April 2011 (ZI. 5-VA7124/ 86-2011) in response to an application by the infrastructure manager, the Burgenland Provincial Government extended the deadline for completion to 3 October 2011. It needs to be investigated if the infrastructure manager has already reported completion and subsequently if an application for the issue of an operating permit may be made. |
| 23 May 11 | Derailment of a freight train | Investigate whether the provisions for the installation of speed restriction indications should be brought together in a set of regulations applicable to all staff. Investigate whether the timescale for installing speed restriction indicators (within twenty-four hours in accordance with the instructions in the infrastructure manager's operating regulations) should be shortened to two hours as for level crossings with faulty protection. Ensure that regular checks of the track alignment are made including at the end of periods of work (ends of shifts, week-ends and so forth) where building works that can affect the alignment of the track are taking place. |
| 18 June 11 | Derailment of a passenger train | Ensure that a fixed channel is installed between the forest road and the [avalanche] gallery so that such a natural disaster cannot repeat itself. Investigate whether build-up of scree on the roof of the gallery must be removed at regular intervals. |
| 22 June 11 | Collision of a passenger train with a lorry | Investigate whether an assessment of the decision on protecting level crossings is necessary. Investigate whether road users would pay more attention to level crossing protection if the measures below were implemented: installation of speed humps, speed slots and horizontal civil engineering installations at a defined distance before the crossing (distance to be defined) together with a traffic island and definition of the side of the road to be used. |



| Date of the event | Description of the event | Safety recommendation ¹⁾ |
|-------------------|--|--|
| | | Schweile, Verkehrsinsel |
| 05 July 11 | Collision of a passenger train with a pedestrian | It is recommended that the level crossing is subjected to an official investigation by the Province of Lower Austria in conjunction with road maintenance authorities and the infrastructure manager. In this connection if and to what extent it would be sensible to provide additional warning installations for pedestrians needs particularly to be investigated. It is recommended that the executive forces' [police etc.] mount a 'focused action' traffic monitoring campaign at the level crossing at irregular intervals. Investigate if and to what extent information campaigns in communities in the immediate area and in schools and similar establishments would be sensible. Investigate the installation of CCTV to monitor misuse of the crossing. (CCTV to record jumping the lights). |
| 14 July 11 | Collision of a freight train with a car | Investigate whether road users' attentiveness (particularly those approaching from Weinberg) would be increased by the installation of a variable message sign: for example: |
| 22 Aug. 11 | Collision of a freight train with a car | It is recommended that the executive forces' [police etc.] mount a 'focused action' traffic monitoring campaign at the level crossing at irregular intervals (particularly in the summer months). Investigate to what extent an LED-illuminated 'ungated level crossing' road sign which lights up when a road user or train approaches could increase the attentiveness of all users. |
| 12 Sept. 11 | Collision of a passenger train with a car | The safety recommendation below was given on site in accordance with Article 16 para 2 Accident Investigation Act: It was noted in the site inspection that the right-hand 'HALT' sign had been obscured by the regulation 'Stopping forbidden' sign with an auxiliary plate and the road sign 'No access for lorries with a total weight of more than 3.5t' sign and hence could only be seen shortly before the level crossing. Removal or relocation of the traffic sign is necessary. The 'ungated level crossing' danger sign is damaged, distorted and provisionally fixed on the fence of the adjacent business premises. This must |



| Date of the event | Description of the event | Safety recommendation ¹⁾ | | |
|-------------------|---|---|--|--|
| | | be put right. Pay attention to parked road vehicles and stored materials from the adjacent business premises. They are to be so arranged and so stored that there is no possibility of blocking the view of on-coming rail vehicles. | | |
| 1 Oct. 11 | Collision of a passenger train with a car | Investigate whether the level crossing must be assessed. Investigate whether improved protection of the level crossing can be achieved by including rail movements in the actuation of traffic lights at the junction of B169 and L300. Investigate whether making an ordinance at the same time for protection of the level crossing in accordance with Articles 4 and 6 Level Crossing Regulation [Eisenbahn-Kreuzungsverordnung 1961 (EKVO)] linked to the direction of movement of the train would have negative effects on road users. | | |
| 3 Oct.11 | Collision of a passenger train with a car | It is recommended that the level crossing be subjected to an official investigation in conjunction with road maintenance authorities and the infrastructure manager. Ensure that the emergency management [plan] is implemented. | | |

2. Detailed data trend analysis

This section contains an analysis of the data in respect of all the CSI categories:

- number of significant accidents;
- number of fatalities;
- number of seriously injured;
- number of incidents and near misses
- safety related costs of all significant accidents
- technical safety of the infrastructure and its implementation, safety management

Annex C gives details of the coverage of the statistics, the definitions adopted and data on the common safety indicators (CSI).



3. Results of safety recommendations

In addition to the safety recommendations which were implemented directly, the following measures, in particular, were decided by the authorities during the year 2011 as a result of safety recommendations made by the Safety Investigation Authority:

| Date of the incident | Descriptio n of the incident | Safety recommendation(s) | Implementation of the safety recommendations |
|----------------------------|---|---|---|
| 28.01.10 | Collision passenger train with an eddy of ballast | Alignment of the regulations with the lessons learned by DB AG such as for example sweeping out sleepers between the rails and removing the heaps beside the rails. Ensure that before the onset of winter (in parts of Austria and other adjacent countries) measures in accordance with A-071/2010 have been undertaken. Ensure that blocks of snow and ice are regularly removed from rolling stock (for example stabling in heated sheds, under-floor cleaning). Consider whether operating measures such as a reduction in speed to Vmax = 160 km/h should be taken if there are snow or ice blocks on rolling stock. | In the event of reports of ballast eddies from operations, speeds in the sections or stations in question are always to be reduced to Vmax = 160 km/h, the ballast is to be inspected to ensure it has been swept in accordance with the regulations and if appropriate, the rolling stock in question is to be examined. If the ballast has not been swept in accordance with the regulations speeds are always to be reduced to Vmax = 160 km/h until the ballast has been swept. If it is established that the ballast has been swept in accordance with the regulations but that there are still eddies of stone, other circumstances and influences are to be investigated. As long as these circumstances and influences are present, speeds in the sections or stations in question remain limited to Vmax = 160 km/h. The procedures above are to be adopted with the precautions for operations in winter and are demonstrably to be brought to the attention of the staff concerned. |

E. Important changes in legislation and regulations

The table in Annex D contains a list of the most important amendments to statutes and rules made in the year 2011.



F. The development of safety certification and authorisation

- 1. National legislation starting dates availability
- 1.1. Starting date for issuing safety certificates in accordance with Article 10 of Directive 2004/49/EC (making a distinction between part A and part B in so far as it is necessary)

The 2006 amendment to the Railways Act, which entered into force on 27 June 2006, (Article 37 et seq Railways Act), created the statutory basis for granting safety certification in accordance with Article 10 of Directive 2004/49/EC.

1.2. Availability of national safety rules and other national legislation to railway undertakings and infrastructure managers (website, paper documentation on request, etc).

Federal Ministry of Transport, Innovation and Technology (bmvit) Sektion IV Radetzkystraße 2 A-1030 Wien [Vienna] Tel.: +43-1-71162-65-0 Fax: +43-1-71162-652298 Websites: www.bmvit.gv.at/verkehr/eisenbahn/recht/index.html www.bmvit.gv.at/verkehr/eisenbahn/recht/eu/normen.html

The general federal legal information system provides details of national statutes and regulations: Website: www.ris.bka.gv.at

A guidebook, the 'Guide to Applying for a Safety Certificate' [Leitfaden zum Antrag auf Ausstellung einer Sicherheitsbescheinigung] [available only in German], has been drawn up to assist in the preparation of supporting papers for



applications for safety certification within the meaning of Article 12 of the 'Directive on safety on the Community's railways'. This may be found on the website:

www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/leitfaden_bescheinigung.html

A guidebook, the 'Guide to Applying for Safety Authorisation' [Leitfaden zum Antrag auf Ausstellung einer Sicherheitsgenehmigung] [available only in German]), has been drawn up to assist in the preparation of supporting papers for applications for safety authorisation within the meaning of Article 11 of the 'Directive on safety on the Community's railways': Website:

www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/leitfaden_genehmigung.html

2. Numerical data

Annex E contains numerical data on the development of safety certification and authorisation.

3. Procedural aspects

3.1. Safety certificates - part A

3.1.1. Reasons for updating and amending part A certificates (e.g. variation in the type of service, extent of traffic, size of the undertaking)

The expiry of their validity was one reason for updating safety certificates.

3.1.2. Main reasons for the mean issuing time for part A certificates (restricted to those mentioned in Annex E and after having received all the information necessary) being more than the 4 months provided for in Article 12(1) of the Railway Safety Directive.

Did not apply in 2011.

3.1.3. Overview of the requests from other national safety authorities to verify or access information relating to the part A certificate of a railway undertaking which has been



certified in your state, but which applies for a part B certificate in the other Member State.

No enquiries were made by other national safety authorities on this subject in the year 2011.

3.1.4. Summary of problems with the mutual recognition of the part A certificate which is valid in the whole European Community

No problems with mutual recognition arose in 2011.

3.1.5. Fees charged by the national safety authority for issuing a part A certificate (yes/no – fees charged)

Fees are charged in accordance with the Fees Act 1957 (Gebührengesetz) (BGBI. No 267/1957 as subsequently amended) for the submission of application documentation. These are based on the volume of the documents submitted with the application.

3.1.6. Summary of the problems with using the harmonised formats for part A certificates, specifically in relation to the categories for type and extent of service

No major problems arose in connection with the use of the harmonised document.

3.1.7. Summary of the common problems and difficulties for the national safety authority in application procedures for part A certificates

No particular problems with the application procedures for part A certificates arose in the year 2011.

3.1.8. Summary of the problems reported by railway undertakings when applying for a part A certificate

No significant problems were reported in 2011.

3.1.9. Feedback procedure (e.g. questionnaire) that allows railway undertakings to express their opinion on issuing procedures and practices or to make complaints



There was no formal feedback procedure in the year 2011.

3.2. Safety certificates - part B

3.2.1. Reasons for updating and amending part B certificates (e.g. variation in the type of service, extent of traffic, lines to be operated, type of rolling stock, category of staff, etc.)

In addition to expiry of their validity, extending the size of the rail network applied for was a reason for updating safety certificates.

3.2.2. Main reasons for the mean issuing time for part B certificates (restricted to those mentioned in Annex E and after having received all the information necessary) being more than the 4 months provided for in Article 12(1) of the Railway Safety Directive

Did not apply in 2011.

3.2.3. Fees charged by the national safety authority for issuing a part B certificate (yes/no – fees charged)

Fees are charged in accordance with the Fees Act 1957 (BGBI. No 267/1957 as subsequently amended) for the submission of application documentation. These are based on the volume of the documents submitted with the application.

3.2.4. Summary of the problems with using the harmonised formats for part B certificates, specifically in relation to the categories for type and extent of service

No major problems arose in connection with the use of the harmonised document.

3.2.5. Summary of the common problems and difficulties for the national safety authority in application procedures for part B certificates

No particular problems with the application procedures for part B certificates arose in the year 2011.



3.2.6. Summary of the problems reported by railway undertakings when applying for a part B certificate

No major problems with applications for part B certification were reported in the year in question.

3.2.7 Feedback procedure (e.g. questionnaire) that allows railway undertakings to express their opinion on issuing procedures and practices or to make complaints

There was no formal feedback procedure in 2011.

3.3. Safety authorisations

3.3.1. Reasons for updating and amending safety authorisations

Reasons for updating safety authorisations in 2011 included expiry of validity and updating the scope of the safety authorisation.



3.3.2. Main reasons for the mean issuing time for safety authorisations (restricted to those mentioned in Annex E and after having received all the information necessary) being more than the 4 months provided for in Article 12 (1) of the Railway Safety Directive

Not applicable to 2011.

3.3.3. Summary of the problems and difficulties which arose regularly in application procedures for safety authorisations

Not applicable to 2011.

3.3.4. Summary of the problems reported by infrastructure managers when applying for a safety authorisation

Not applicable to 2011.

3.3.5. Feedback procedure (e.g. questionnaire) that allows infrastructure managers to express their opinion on issuing procedures and practices or to make complaints

There was no formal feedback procedure in 2011.

3.3.6. Fees charged by the national safety authority for issuing safety authorisation (yes/no – fees charged)

Fees are charged in accordance with the Fees Act 1957 (BGBI. No 267/1957 as subsequently amended) for the submission of application documentation. These are based on the volume of 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 railway authorities and means they use for supervision are laid down comprehensively in Article13 Railways Act. The Railways Act, as amended, gives railway organisations a high degree of autonomy in the on-going supervision of construction and operation.

Amongst other methods, railway undertakings and infrastructure managers are supervised following exceptional events (see also point D.1.) e.g. by the authorities making sample inspections of operating documentation on railway undertakings' sites followed by documentation of the results and specifying measures to correct deficiencies (on-site supervisory activity).

As part of the supervisory process, sample on-site inspections using checklists were carried out on behalf of the national safety authority In connection with the issue of safety certificates in 2011.

 Submission of all annual safety reports produced by infrastructure managers and railway undertakings in accordance with Article 9(4) of the Railway Safety Directive within the statutory time limits

The reports listed below were submitted to the national safety authority (bmvit) for the year 2009. Bmvit also called for further statistical data:

ten safety reports from infrastructure managers,

twenty-four safety reports from railway undertakings,

data from the Federal Office for Transport (Federal Safety Investigation Authority),

together with supplementary data from railway undertakings.

3. Number of inspections (on-site inspections) of RU/IM in 2011



| Inspections (on- site inspections) | | Issued Safety certificates part A | Issued Safety certificates part B | Issued Safety authorisations | Other activities (to be specified) |
|--|-------------|--|--|------------------------------------|---|
| Number of | Planned | *) | 5 | 1 | |
| inspections (on- site inspections) of RUs/IMs in | Unplanned | *) | | | |
| 2011 | Carried out | *) | 5 | 1 | |

*) The certificating bodies audit the supporting management system periodically.

4. Number of audits of RU/IM in 2011

The number of internal audits which were carried out by railway organisations as set out in the documentation for their safety management systems in 2011 was:

| infrastructure managers: | 192 | and of |
|--------------------------|------|--------|
| railway undertakings: | 332. | |

- Summary of the relevant corrective measures/actions (e.g. amendment, revocation, suspension, serious warning) related to safety aspects following these audits/inspections
 No relevant corrective measures in the year in question
- Complaints from IMs about RUs related to conditions in their part A or part B certificates No known complaints in 2011
- Complaints from RUs about IMs related to conditions in their safety authorisation No known complaints in 2011



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

Article 10(2) of Regulation (EC) No 352/2009 provides for the mandatory application of a staged plan starting on 19 July 2010.

As an aid to help and support users of the 'Common Safety Method on Risk Evaluation and Assessment' and so that the use of these common safety methods should be to a single national standard, the Federal Ministry of Transport, Innovation and Technology (bmvit) drew up a 'Guide to Regulation (EC) No 352/2009' [Leitfaden zur Verordnung (EG) Nr. 352/2009] [only available in German]):

Website: www.bmvit.gv.at/verkehr/eisenbahn/sicherheit/gmethoden/index.html

1. Description of the most important changes which are not regarded by the proposers as significant

In the year in question, railway organisations reported thirty-one changes in their safety reports which they did not regard as significant.

The criteria of Article 4 (2) of Commission Regulation (EC) No 352/2009 on risk evaluation and assessment were used.

2. Description of the most important changes

Five changes which were regarded as significant were reported in safety reports.

In those cases, the independent assessment bodies were based within the undertakings.

3. Short description of the audits undertaken by the proposers on the effectiveness of the risk management process

Because of the short time that application of the risk assessment process has been obligatory very little meaningful experience and very few reports are yet to hand.



 Reports from proposers and ultimately from their subcontractor(s) and assessment body/bodies on the application of Commission Regulation (EC) No 352/2009 on common safety methods for risk assessment

Because of the short time that application of the risk assessment process has been obligatory and the limited number of risk assessments, very little meaningful experience and very few reports are yet to hand.

5. Experience of the proposers with the application of CSM for risk evaluation and assessment in cases in which the methods are applied on a voluntary basis before the regulation comes into effect (Regulation /3/, Article 4)

Because of the short time the methods have been applied very little meaningful experience is yet to hand.

I. Annexes



ANNEX A: Railway structure information

A.1. Network map





A.2. List of railway undertakings and infrastructure managers

A.2.1. Infrastructure managers with safety authorisations in accordance with Article 38 Railways Act (infrastructure managers on main lines and secondary lines connected to them)

| Name | Address | Website/Network Statement link |
|---|---|-----------------------------------|
| Aktiengesellschaft der Wiener Lokalbahnen | Eichenstraße 1 1120 Wien [Vienna] | www.wlb.at |
| Cargo-Center-Graz Betriebsgesellschft m.b.H. & Co KG | Terminal 1 8402 Werndorf | www.cargo-center-graz.at |
| Graz-Köflacher Bahn und Busbetrieb GmbH | Köflacher Gasse 35 – 41 8020 Graz | www.gkb.at |
| Lokalbahn Lambach- Vorchdorf- Eggenberg AG (Operational management: Stern & Hafferl Verkehrsgesellschaft mbH) | Kuferzeile 32 4810 Gmunden | www.stern-verkehr.at |
| Linzer Lokalbahn AG (Operational management: Stern & Hafferl Verkehrsgesellschaft mbH) | Rathaus 4041 Linz | www.stern-verkehr.at |
| Montafonerbahn AG | Bahnhofstraße 15 a+b 6780 Schruns | www.montafonerbahn.at |
| Neusiedler Seebahn AG (Operational management: Raab-Oedenburg- Ebenfurter Eisenbahn AG) | Bahnhofplatz 5 7041 Wulkaprodersdorf | www.nsb-ag.at |
| ÖBB Infrastruktur AG | Praterstern 3 1020 Wien [Vienna] | www.oebb.at/infrastruktur |
| Raab-Oedenburg-Ebenfurter Eisenbahn AG | Bahnhofplatz 5 7041 Wulkaprodersdorf | www.raaberbahn.at |
| Salzburg AG für Energie, Verkehr und Telekommunikation | Plainstraße 70 5020 Salzburg | www.salzburg-ag.at |
| Land Steiermark / Steiermärkische Landesbahnen [Styria Local Railway] | Eggenberger Str. 20 8020 Graz | www.stlb.at |
| Stern & Hafferl Verkehrsgesellschaft mbH (as the railway undertaking managing operations) | Kuferzeile 32 4810 Gmunden | www.stern-verkehr.at |

A.2.2. Railway undertakings with a traffic authorisation in accordance with Articles 15 or 16 Railways Act

| Name | Address | Website |
|--|--|-----------------------------|
| Aktiengesellschaft der Wiener Lokalbahnen | Eichenstraße 1 1120 Wien [Vienna] | www.wlb.at |
| Alpine Bau GmbH, Zweigniederlassung Alpine Logistik (traffic operations not yet started in 2011) | Alte Bundesstraße 10 5071 Wals | www.alpine.at |
| City Air Terminal Betriebsg.m.b.H. | Office Park 1300 Wien Flughafen [Vienna Airport] | www.cityairporttrain.com |
| Graz-Köflacher Bahn und Busbetrieb GmbH | Köflacher Gasse 35 – 41 8020 Graz | www.gkb.at |
| Logistik Service GmbH | Lunzerstraße 41 4031 Linz | www.voestalpine.com/logserv |



| Name | Address | Website |
|--|---|------------------------|
| LTE-Logistik- und Transport GmbH | Karlauer Gürtel 1 8020 Graz | www.lte.at |
| Majestic Imperator Train de Luxe Waggon Charter Ges.m.b.H. | Opernring 4/8 1010 Wien [Vienna] | www.imperialtrain.com |
| Montafonerbahn AG | Bahnhofstraße 15 a+b 6780 Schruns | www.montafonerbahn.at |
| ÖBB Personenverkehr AG | Wagramer Straße 17-19 1220 Wien [Vienna] | www.oebb.at/pv |
| ÖBB Technische Services GmbH | Grillgasse 48 1110 Wien [Vienna] | www.oebb.at/ts |
| ÖBB Produktion GmbH | Langauer Gasse 1 1150 Wien [Vienna] | www.oebb-produktion.at |
| ÖKOMBI GmbH (traffic operations not yet started) | Erdberger Lände 40-48 1030 Wien [Vienna] | www.oekombi.at |
| Raab-Oedenburg-Ebenfurter Eisenbahn AG | Bahnhofplatz 5 7041 Wulkaprodersdorf | www.raaberbahn.at |
| Raaberbahn Cargo GmbH | Bahnhofplatz 5 7041 Wulkaprodersdorf | www.raaberbahn.at |
| Rail Cargo Austria AG | Erdberger Lände 40-48 1030 Wien [Vienna] | www.railcargo.at |
| Rail Professionals Stütz GmbH | Pallenbergstraße 31d 1130 Wien [Vienna] | www.railprofi.at |
| Rhomberg Bahntechnik GmbH | Mariahilferstraße 29 6900 Bregenz | www.bahntechnik.com |
| RTS Rail Transport Services GmbH | Puchstraße 184 b 8055 Graz | www.rts-austria.at |
| Safety4you Baustellenlogistik GmbH (traffic operations not yet started in 2011) | Bahnhofplatz 1 4600 Wels | www.s4you.at |
| Salzburg AG für Energie, Verkehr und Telekommunikation | Plainstraße 70 5020 Salzburg | www.salzburg-ag.at |
| Steiermarkbahn Transport und Logistik GmbH | Eggenberger Straße 20 8020 Graz | www.steiermarkbahn.at |
| Land Steiermark / Steiermärkische Landesbahnen | Eggenberger Straße 20 8020 Graz | www.stlb.at |
| Stern & Hafferl Verkehrsgesellschaft mbH | Kuferzeile 32 4810 Gmunden | www.stern-verkehr.at |
| TX Logistik Austria GmbH | Am Concorde-Park E/13 2320 Schwechat | www.txlogistic.de |
| WESTbahn Management GmbH | Europaplatz 3/Stiege 5 1150 Wien [Vienna] | www.westbahn.at |
| Wiener Lokalbahnen Cargo GmbH | Anton-Baumgartner-Straße 10 1230 Wien [Vienna] | www.wlb-cargo.at |



A.2.3. Railway undertakings with safety certificates part B

| Name | Anschrift | Website |
|--|--|-----------------------------|
| Aktiengesellschaft der Wiener Lokalbahnen | Eichenstraße 1 1120 Wien [Vienna] | www.wlb.at |
| Alpine Bau GmbH, Zweigniederlassung Alpine Logistik (traffic operations not yet started in 2011) | Alte Bundesstraße 10 5071 Wals | www.alpine.at |
| DB Regio Aktiengesellschaft | Stephensonstraße 1 D-60326 Frankfurt am Main | www.deutschebahn.com |
| City Air Terminal Betriebsg.m.b.H. | Office Park 1300 Wien Flughafen [Vienna Airport] | www.cityairporttrain.com |
| Graz-Köflacher Bahn und Busbetrieb GmbH | Köflacher Gasse 35 – 41 8020 Graz | www.gkb.at |
| Logistik Service GmbH | Lunzerstraße 41 4031 Linz | www.voestalpine.com/logserv |
| Lokomotion- Gesellschaft für Schienentraktion mbH | Kastenbauerstraße 2 D-81677 München | www.lokomotion-rail.de |
| LTE-Logistik- und Transport GmbH | Karlauer Gürtel 1 8020 Graz | www.lte.at |
| Majestic Imperator Train de Luxe Waggon Charter Ges.m.b.H. | Opernring 4/8 1010 Wien [Vienna] | www.imperialtrain.com |
| Montafonerbahn AG | Bahnhofstraße 15 a+b 6780 Schruns | www.montafonerbahn.at |
| ÖBB Personenverkehr AG | Wagramer Straße 17-19 1220 Wien [Vienna] | www.oebb.at/pv |
| ÖBB Technische Services GmbH | Grillgasse 48 1110 Wien [Vienna] | www.oebb.at/ts |
| ÖBB Produktion GmbH | Langauer Gasse 1 1150 Wien [Vienna] | www.oebb-produktion.at |
| Raab-Oedenburg-Ebenfurter Eisenbahn AG | Bahnhofplatz 5 7041 Wulkaprodersdorf | www.raaberbahn.at |
| Raaberbahn Cargo GmbH | Bahnhofplatz 5 7041 Wulkaprodersdorf | www.raaberbahn.at |
| Rail Cargo Austria AG | Erdberger Lände 40-48 1030 Wien [Vienna] | www.railcargo.at |
| Rail Professionals Stütz GmbH | Pallenbergstraße 31d 1130 Wien [Vienna] | www.railprofi.at |
| Rhomberg Bahntechnik GmbH | Mariahilferstraße 29 6900 Bregenz | www.bahntechnik.com |
| RTS Rail Transport Services GmbH | Puchstraße 184 b 8055 Graz | www.rts-austria.at |
| Safety4you Baustellenlogistik GmbH (traffic operations not yet started in 2011) | Bahnhofplatz 1 4600 Wels | www.s4you.at |
| Salzburg AG für Energie, Verkehr und Telekommunikation | Plainstraße 70 5020 Salzburg | www.salzburg-ag.at |
| Steiermarkbahn Transport und Logistik GmbH | Eggenberger Straße 20 8020 Graz | www.steiermarkbahn.at |
| Land Steiermark / Steiermärkische Landesbahnen | Eggenberger Straße 20 8020 Graz | www.stlb.at |
| Stern & Hafferl Verkehrsgesellschaft mbH | Kuferzeile 32 4810 Gmunden | www.stern-verkehr.at |
| TX Logistik Austria GmbH | Am Concorde-Park E/13 2320 Schwechat | www.txlogistic.de |
| WESTbahn Management GmbH | Europaplatz 3/Stiege 5 1150 Wien [Vienna] | www.westbahn.at |
| Wiener Lokalbahnen Cargo GmbH | Anton-Baumgartner-Straße 10 1230 Wien [Vienna] | www.wlb-cargo.at |



ANNEX B: Organisation chart

B.1. Organisation chart for the Federal Ministry of Transport, Innovation and Technology as the national safety authority:

Bundesministerium für Verkehr, Innovation und Technologie



Telefon: +43 (0) 1 711 62 + Durchwahl



| (Stand September 2012, Quelle: Website bmvit) | (As at September 2012, source: bmvit website) |
|--|--|
| Bundesministerium für Verkehr, Innovation un | Federal Ministry for Transport, Innovation |
| Technologie | and Technology |
| telefon: +43(0)171162+Durchwahl | Telephone: +43 (0) 1 711 62 + extension |
| Bundesministerin Doris Bures | Federal Minister Doris BURES |
| Kabinettslerin:Maria KUBITSCHEK Durchwahl 658100 | Head of Chancellery: Maria KUBITSCHEK extension 65 8100 |
| Generalsekretär Herbert KASSER | General Secretary Herbert KASSER |
| Büroleiter: Ferry ELSHOLZ Durchwahl 658900 | Office Manager Ferry ELSHOLZ extension 65 8900 |
| Sektion I Präsident und inernationale Angelegeheiten | Department I Executive Committee and |
| | Christian WEISSENBURGER extension 65 1000 |
| Sektion II Infrastrukturplanung und-finanzierung | Department II Infrastructure Planning and |





(As at September 2012, source: bmvit website)

Department IV Transport

| Department IV | | | | | |
|---|------------------------------------|---------------------|-------------------------------------|--|--|
| | | Transport | | | |
| | Usurla 2 | ZECHNER extension (| 652000 | | |
| Rail Group Vacancy | Road Group Extension 65317 | | Air Group Vacancy | Safety Management and flight safety unit | |
| Sch 1 Parliamentary drafting & international affairs, railways and pipelines | S71 Planning and environment | W1 Law | Lf Strategy and International | | |
| Sch 2 | S72 | W2 | L2 | | |
| Supreme railway | Technology and | Shipping, | Air – legal issues | | |



| construction authority (procedures) | Traffic Safety | technology and navigation | | | |
|--|--------------------------------------|---------------------------|--------------------------|----------------------------|--|
| Sch3 Supreme cableway authority | S73 Legal area – Federal roads | V Federa wate | V3 al inland rways | L3 Air – Infrastructure | |
| Sch4 Technical principles & technology, technical railway research | | | S74 Road vehicle | ?S | |
| Sch5 Supreme railway operating authority (procedures) | | | S75 Legal area – road | traffic | |
| ST6 Dangerous goods S77 Passenger and freight traffic by road | | | | | |

Extract from the organisation (with particular reference to the 'Railway Safety Directive'):

Department IV - Transport

Authorities, technology and legal areas for rail, road, cableway and pipeline together with issues from the waterway and air areas.

Section Sch 1 - Parliamentary drafting & international affairs, railways and pipelines

Involvement in drawing up and transposing EU law and intergovernmental treaties concerning rail and pipelines; domestic parliamentary drafting including all general secondary parliamentary drafting and coordination of statutory regulations for railways and pipelines; fundamental legal issues for rail reform and for the regulation of the market for rail services together with matters concerning state commissioners; enforcement of the Pipeline Act.

Section Sch 2 - Supreme railway construction authority (processes in the railway field)

Exercising rail construction authority powers for main lines, in particular procedures for construction approval, type approval including approval to put into service, environmental impact assessment and train path approval procedures, procedures relating to level crossings; lineside property procedures; subsidiary questions in accordance with Article 11 Railways Act; appeal procedures in the railway construction authority field concerning secondary lines, tramways, trolley bus routes and procedures under the Railway Compensation for Compulsory Purchase Act; handling of complaints, management of the lists defined by Article 40 Railways Act; drafting of secondary legislation with similar procedures, in particular regulations, decrees and circular letters concerning implementation; representing these matters in international and national technical bodies.



Section Sch 4 - Railway technical principles and technology, technical railway research

General technical matters concerning construction, safety, telecommunications engineering, electrical engineering and machinery for railways including the technical aspects of equipment to ensure railway safety and rolling stock of all types; domestic and international technical standards and specifications and other sets of regulations on the state of the art; matters concerning railway technical fundamentals in domestic international bodies, in particular in RISC, ERA and CEN working groups; involvement in accreditation; evaluation and publication of the results of relevant research in the railway field including involvement in research projects and external publications.

Section Sch 5 – Supreme railway operating authority (procedures concerning railways)

Exercising administrative processes for mainline and secondary railways from the legal, operational and (in so far as involved) technical design aspects; implementing and checking the access conditions set by railway safety authorities together with assembling strategic principles for concessions, traffic authorisations, safety authorisations and safety certification; evaluating and drafting the annual reports including monitoring that safety levels are maintained; evaluating, implementing and checking safety recommendations of the safety investigation authority; approval of staff regulations; approval of the appointment of local operations supervisors; closure of railways; matters concerning other safety authority related supervisory activity matters including administrative circulars and decrees including evaluating, monitoring and representing these matters in domestic and international bodies including the development of EU statutory bases in the RISC and ERA.



B.2. Organisation chart for the Federal Office for Transport as the federal accident investigation institution:



Stand: September 2012

(Quelle: Website Bundesanstalt für Verkehr)

insert translation

Verkehrssicherheitsarbeit für Österreich

| BUNDESANSTALL FÛR VERKEHR Leitung | Federal Office for Transport Director |
|---|--|
| Zentrale Dienste | Central services |
| KFZ und Verkehrstechnik internationale Angelegenheiten | Motor vehicles and traffic technology, international affairs |
| Typengenehmigung | Type approval |
| Beobachtungsstelle für die Straßenverkehrssicherheit | Monitoring body for road traffic safety |
| Gefahrgut/Chemie | Dangerous goods and chemicals |
| Sicherheitsuntersuchungsstelle des Bundes | Federal Safety Investigation Authority |
| Lenk – und Ruhezeikontrollen | Driving and rest-time checks |
| Technische unterwegskontrollen | Technical checks on vehicles |
| Ortsfeste Fahrzeugprüfung | Stationary vehicle testing |



| Vertreter Bereich Zivilluftfahrt gemaßArt | Representative from the Civil Air Traffic unit in accordance with Article 7 Regulation (EU) No 996/2010 |
|---|---|
| Stand: September 2012 | As at September 2012, source: Federal Office for Transport website) |



ANNEX C: CSI data – definitions applied

The CSI data evaluated relates to the operation of main lines and secondary lines connected to them, the operation of rolling stock on such railways and traffic on such railways on Austrian sovereign territory in 2011.

C.1. CSI Data

C.1.1. Accident-related indicators (including the years 2007 - 2010)

Graphical presentation of accident-related indicators:

Significant accidents by type of accident







Fatalities by type of accident

Serious injuries by type of accident







Fatalities by category of people involved

Serious injuries by category of people involved





Tabular presentation of accident-related indicators:

Significant accidents by type of accident

| Year | Collisions | Derailments | Level crossing accidents | Accidents to persons caused by RS in motion | Fires in RS | Others | Total |
|------|------------|-------------|--------------------------------|--|-------------|--------|-------|
| 2007 | 4 | 3 | 55 | 27 | 1 | 14 | 104 |
| 2008 | 3 | 7 | 36 | 35 | - | 16 | 97 |
| 2009 | 5 | 1 | 36 | 37 | 1 | 8 | 88 |
| 2010 | 3 | 2 | 33 | 29 | - | 12 | 79 |
| 2011 | 2 | 2 | 43 | 30 | - | 7 | 84 |

Fatalities by type of accident

| Year | Collisions | Derailments | Level crossing accidents | Accidents to persons caused by RS in motion | Fires in RS | Others | Total |
|------|------------|-------------|--------------------------------|--|-------------|--------|-------|
| 2007 | - | - | 33 | 16 | - | 3 | 52 |
| 2008 | 1 | - | 17 | 20 | - | 1 | 39 |
| 2009 | - | - | 12 | 21 | - | 1 | 34 |
| 2010 | - | - | 13 | 15 | - | 2 | 30 |
| 2011 | - | - | 21 | 14 | - | _ | 35 |

Serious injuries by type of accident

| Year | Collisions | Derailments | Level crossing accidents | Accidents to persons caused by RS in motion | Fires in RS | Others | Total |
|------|------------|-------------|--------------------------------|--|-------------|--------|-------|
| 2007 | 4 | - | 34 | 15 | - | 7 | 60 |
| 2008 | - | - | 23 | 15 | - | 15 | 53 |
| 2009 | 5 | 1 | 29 | 16 | 1 | 8 | 60 |
| 2010 | 3 | 2 | 23 | 14 | - | 7 | 49 |
| 2011 | - | - | 25 | 15 | - | 5 | 45 |



Fatalities by category of person involved

| Year | Passengers | Employees | Level crossing users | Unauthorise d persons | Others | Total |
|------|------------|-----------|----------------------------|--------------------------|--------|-------|
| 2007 | 1 | 3 | 33 | 14 | 1 | 52 |
| 2008 | 2 | 2 | 17 | 18 | - | 39 |
| 2009 | 1 | - | 12 | 19 | 2 | 34 |
| 2010 | - | - | 13 | 17 | - | 30 |
| 2011 | - | 2 | 21 | 12 | _ | 35 |

Serious injuries by category of person involved

| Year | Passengers | Employees | Level crossing users | Unauthorise d persons | Others | Total |
|------|------------|-----------|----------------------------|--------------------------|--------|-------|
| 2007 | 4 | 9 | 34 | 5 | 4 | 56 |
| 2008 | 6 | 12 | 23 | 12 | - | 53 |
| 2009 | 9 | 9 | 27 | 9 | 6 | 60 |
| 2010 | 4 | 14 | 23 | 8 | - | 49 |
| 2011 | 5 | 6 | 25 | 7 | 2 | 45 |



C.1.2. Indicators relating to dangerous goods

| | Total number | Relative number (per million train km) |
|---|--------------|--|
| Accidents in which at least one rail vehicle carrying dangerous goods was involved (in accordance with the definition in Directive 2009/149/EC) | 0 | 0 |
| Number of such accidents in which dangerous goods were released | 0 | 0 |

C1.3. Indicators relating to suicides

| | Total number | Relative number (per million train km) |
|----------|--------------|--|
| Suicides | 87 | 0,572 |

C.1.4. Indicators relating to precursors of accidents

| | Total number | Relative number (per million train km) |
|--------------------------------------|--------------|--|
| Broken rails | 93 | 0,61 |
| Buckled rails | 162 | 1,06 |
| Wrong-side signalling failures | 4 | 0,03 |
| Signals passed at danger | 5 | 0,03 |
| Broken wheels on vehicles in service | 1 | 0,01 |
| Broken axles on vehicles in service | 0 | 0,00 |

C.1.5. Indicators to calculate the economic impact of significant accidents

| | Total number | Relative amount (per million train km) |
|--|---------------|--|
| Total cost of all significant accidents: | € 130 346 379 | € 856 415 |
| Number of deaths and serious injuries multiplied by the value of preventing a casualty (VPC) | € 94 959 828 | 623 915 € |
| Cost of damage to the environment | € 110 000 | € 723 |
| Cost of material damage to rolling stock or infrastructure | € 28 878 764 | € 189 742 |
| Costs of delays as a consequence of accidents | € 6 397 787 | € 420 35 |



C.1.6. Indicators relating to technical safety of infrastructure and its implementation

| Percentage of tracks with automatic train protection (ATP) in operation | 82 % |
|---|------|
| Percentage of train kilometres operated using ATP systems | 86 % |

| | Total number | Per route kilometre | Per track kilometre |
|---|--------------|---------------------|---------------------|
| Total number of level crossings | 5026 | 0,969 | 0,698 |
| Total number of actively protected level crossings | 1900 | 0,366 | 0,264 |
| Automatic user-side warning | 757 | 0,146 | 0,105 |
| Automatic user-side protection | 0 | 0,000 | 0,000 |
| Automatic user-side protection and warning | 938 | 0,181 | 0,130 |
| Automatic user-side protection and warning and rail-side protection | 21 | 0,004 | 0,003 |
| Manual user-side warning | 175 | 0,034 | 0,024 |
| Manual user-side protection | 9 | 0,002 | 0,001 |
| Manual user-side protection and warning | 0 | 0,000 | 0,000 |
| Total number of passively protected level crossings | 3126 | 0,603 | 0,434 |

C.1.7. Indicators relating to the management of safety

| Number of audits carried out | 524 |
|--|------|
| Percentage of audits carried out to the number of audits planned | 97 % |

Common safety indicators (CSI) from 2006 are also to be found on the

ERAIL (European Railway Accident Information Links) database maintained by the European Railway Agency.

Website: http://erail.era.europa.eu/safety-indicators.aspx

The common safety indicators of Member States of the European Union are published on that website.



C.2. Definitions used in the annual report

C.2.1. Definitions to be adopted

The common definitions for the common safety indicators laid down in Directive 2009/149/EC of 27 November 2009 amending Directive 2004/49/EC are to be used with effect from 2010.

Further details on the various common safety indicators are to be found in the 'Implementation Guidance for CSIs' guide produced by the European Railway Agency (ERA).

Website: www.era.europa.eu/Document-Register/Pages/guidance-for-use-of-common-safetyindicators.aspx

C.2.2. National definitions

Further national definitions which have a particular relevance to the application of the Safety Directive are shown below:

Main lines, secondary lines

in accordance with Article 4 Railways Act 1957, BGBI. No 60/1957, as amended:

Article 4. (1) Main lines are specific railway lines of greater traffic importance open for public traffic. Amongst them are those railway lines

 which have been declared to be high capacity lines in accordance with Article 1 of the High Capacity Line Act (Hochleistungsstreckengesetz), BGBl. No 135/1989 as amended;
 which the Federal Minister of Transport, Innovation and Technology has declared by means of a

regulation to be main lines because a particular importance is attributed to them for high performance traffic or because they should be upgraded for such traffic – in particular for international services or for regional traffic.

(2) Secondary lines are specific railway lines open for public traffic provided they are not main lines or tramways.



Connected main and secondary lines

in accordance with Article 1a Railways Act 1957, BGBI. No 60/1957, as amended:

Main and secondary lines are connected if an exchange of vehicles can just take place over a local connection without a change of gauge and without technical aids (transporter wagon, for example). Main and secondary lines are also considered as connected if they are connected across a frontier with another railway of the same type in a neighbouring state.

High capacity lines

in accordance with the High Capacity Line Act, BGBI. No 135/1989, as amended by BGBI. I

No 81/1999:

Article 1. (1) The Federal Government may declare existing or planned railways (sections of lines or parts of sections of lines including the installations necessary) to be high capacity lines by regulation (High Capacity Line Regulation (Hochleistungsstreckenverordnung)). A precondition for this is that the line is considered to have a special importance for high performance with international connections or for local traffic.

(2) Existing or planned railways may also be declared to be parts of high capacity lines if the characteristics in paragraph 1do not apply to them but they have a direct relationship with high capacity lines and are required for rational railway operation or rail traffic on high capacity lines.

Infrastructure manager

in accordance with Article 1a Railways Act 1957, BGBI. No 60/1957, as amended:

Article 1a. An infrastructure manager is a railway organisation which covers the construction and operation of main line and secondary railways excluding those secondary railways which are not connected to main lines or other secondary lines and is authorised to make them available.

Railway undertaking

in accordance with Article 1b Railways Act 1957, BGBI. No 60/1957, as amended:

Article 1b. A railway undertaking is a railway organisation which provides rail traffic services on main line or connected secondary line rail infrastructure and provides the traction, this also includes those which only provide traction, and to which a traffic authorisation, a traffic concession or an authorisation or approval which is equivalent to a traffic approval in accordance with Article 41 has been granted.



C.3. Abbreviations

| BGBI | Federal Law Gazette | IM | Infrastructure manager |
|----------|--|---------|---|
| bmvit | [Bundesgesetzblatt] Federal Ministry of Transport, Innovation and Technology [Bundesministerium für Verkehr, Innovation und Technologie] | km | Kilometre |
| CCTV | Closed circuit Television | km/h | Kilometres per hour |
| CSI | Common safety indicator | MeldeVO | Rail Accident Reporting Regulation 2006 [Meldeverordnung Eisenbahn -Eisb 2006] |
| CSM | Common Safety Method | MLN | 10 ⁶ |
| DB AG | Deutsche Bahn AG | NSA | National Safety Authority |
| DB IS 2 | Staff instruction for the maintenance of infrastructure installations [Dienstbehelf für die Erhaltung von Infrastrukturanalagen] | ÖBB | Österreichische Bundesbahnen |
| DV | ÖBB staff regulations [Dienstvorschrift] | RS | Rolling stock |
| EisbG | Railways Act 1957 [Eisenbahngesetz 1957] | RU | Railway undertaking |
| EKVO | Eisenbahn-Kreuzungsverordnung 1961 | SUB | Federal Safety Investigation Authority [Sicherheitsuntersuchungsstelle des Bundes] |
| EN | European Standard [Europäische Norm] | UIC | International Union of Railways [Union international des chemins de fer] |
| ERA | European Railway Agency | UT | Ultrasonic Test |
| ERADIS | European railway agency database of interoperability and safety | Vmax | Maximum speed of a vehicle |
| ERAIL | European Railway Accident | VO | Regulation [Verordnung] |
| ERRI/ORE | European Rail Research Institute | ZOV | Supplementary Provisions to the Permanent Way Regulations [Zusatzbestimmungen zu den Oberbauvorschriften] |
| EU | European Union | ZSB | Supplementary Provisions to the Signalling and Operating Regulations [Zusatzbestimmungen zur Signal- und Betriebsvorschrift] |



ANNEX D: Important changes in legislation and regulation

| | Legal reference | Date legislation comes into force | Reason for introduction | Description |
|---|--|--|---|---|
| General national railway safety legislation | | | | |
| Legislation concerning the national safety authority | Federal Act concerning railways, rolling stock on railways and traffic on railways (Railways Act 1957 - EisbG), BGBI. I No 124/2011 | 28 December 2011 | Amendment of the Railways Act 1957 (EisbG) inter alia to transpose Commission Directive (EU) No 445/2011 | National transposition of the regulations which concentrate on the maintenance of rolling stock from the amendment to the Railway Safety Directive. |
| Legislation concerning notified bodies, assessors, third-party bodies for registration, examination, etc. | | | | |
| | | | | |
| National rules concerning railway safety | | | | |
| 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 | Federal Act concerning railways, rolling stock on railways and traffic on railways (Railways Act 1957 - EisbG), BGBI. I No 124/2011 | 28 December 2011 | Amendment of the Railways Act 1957 (EisbG) inter alia to transpose Commission Directive (EU) No 445/2011 | National transposition of the regulations which concentrate on the maintenance of rolling stock from the amendment to the Railway Safety Directive. |
| Rules concerning requirements for maintenance workshops | Federal Act concerning railways, rolling stock on railways and traffic on railways (Railways Act 1957 - EisbG), BGBI. I No 124/2011 | 28 December 2011 | Amendment of the Railways Act 1957 (EisbG) inter alia to transpose Commission Directive (EU) No 445/2011 | National transposition of the regulations which concentrate on the maintenance of rolling stock from the amendment to the Railway Safety Directive. |



| | Legal reference | Date legislation comes into force | Reason for introduction | Description |
|---|--|--|--|--|
| 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 on testing procedures | | | | |
| Common operating rules for the railway network, including rules relating to signalling and traffic procedures | | | | |
| Rules laying down requirements for additional internal 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 | | | | |
| 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 for placing infrastructure in service (tracks, bridges, tunnels, energy, ATC, radio, signalling, interlocking, level crossings, platforms, etc.) | Federal Act concerning railways, rolling stock on railways and traffic on railways (Railways Act 1957 - EisbG), BGBI. I No 124/2011 | 28 December 2011 | Amendment of the Railways Act 1957 (EisbG) inter alia to transpose Directive 2008/57/EC the 'Interoperability Directive') | National transposition of the regulations from the recently rewritten 'Interoperability Directive' |



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

E.1. Safety certificates in accordance with Directive 2004/49/EC

| | Number of certificates |
|--|------------------------|
| E.1.1. Number of safety certificates part A issued in the reporting year and previous years that remain valid | 25 |

| | | Number of certificates |
|--|---|------------------------|
| E.1.2. Number of safety certificates part B issued in the reporting year and previous years that remain valid | Number of certificates part B, for which the part A has been issued in your Member State | 23 |
| | Number of certificates part B, for which the part A has been issued in another Member State | 2 |

| | | А | R | Р |
|---|------------------------------|---|---|---|
| E.1.3. Number of new applications for | new certificates | - | - | - |
| safety certificates part A submitted by railway undertakings in 2011 | updated/amended certificates | - | - | - |
| | renewed certificates | - | - | - |

| | | | А | R | Р |
|--|-----------------------------------|------------------------------|---|---|---|
| E.1.4. Number of new applications for safety certificates part B submitted by Railway Undertakings in 2011 Where the part A has been issued in your Member State Where the part A has been issued in another Member State | Where the part A | new certificates | - | - | - |
| | has been issued in your Member | updated/amended certificates | - | - | - |
| | State | renewed certificates | - | - | - |
| | Where the part A | new certificates | - | - | 2 |
| | has been issued | updated/amended certificates | - | - | - |
| | renewed certificates | - | - | - | |

A = accepted: application accepted; certificate has already been issued R = rejected: application rejected; no certificate has been issued

P = pending: case is still pending; no certificate has been issued in the year in question

| | Number of certificates |
|--|------------------------|
| E.1.5 Number of certificates part A revoked in the current reporting year | - |
| E.1.6 Number of certificates part B revoked in the current reporting year | - |



E.1.5. List of states from which railway undertakings applying for a safety certificate part B in your Member State have obtained their safety certificate part A.

- Germany
- Hungary
- The Netherlands
- Poland
- Slovenia

E.2. Safety authorisations in accordance with Directive 2004/49/EC

| | Number of authorisations |
|---|--------------------------|
| E.2.1. Number of valid safety authorisations issued to infrastructure managers in the reporting year and previous years | 9 |

| | | А | R | Р |
|--|--------------------------------|---|---|---|
| E.2.2. Number of applications for safety | new authorisations | - | - | - |
| authorisations submitted by infrastructure | updated/amended authorisations | - | - | - |
| managers in 2011 | renewed authorisations | 1 | - | - |

A = accepted: application accepted; authorisation has already been issued

R = *rejected*: application rejected; no authorisation has been issued

P = pending: case is still pending; no authorisation has been issued in the year in question

| E.2.3 Number of safety authorisations revoked in the current reporting year | - |
|---|---|
|---|---|