



**ROMANIAN RAILWAY AUTHORITY
- RRA -
ROMANIAN RAILWAY INVESTIGATING BODY
- RRIB -**

ANNUAL REPORT



INTRODUCTION

This is the first Annual Report of the Romanian Railway Investigating Body and presents the investigation activity of the railway accidents and events occurred during the year 2006.

The Romanian Railway Investigating Body draws up and publishes the present Annual Report according to the art. 23, paragraph 3 of the Law no. 55/2006 concerning the railway safety, that implements the provisions of the Directive no. 2004/49/CE in the Romanian legislation.

The Romanian Railway Investigating Body was set up according to the Law no. 55/2006 concerning the railway safety and operates according to the Government Decision no. 1561 from the 1st of November 2006 in order to modify and complete the Government Decision no. 626/1998 concerning the Romanian Railway Authority organizing and functioning.

The organization chart of the Romanian Railway Investigating Body was approved at the 1st of March 2007 by the Ministry of Transports' Order no. 373/01.03.2007 and started its activity at the 5th of March 2007 and thus the Annual Report does not include data concerning the investigations carried out during the previous year and the established recommendations.

The objectives of this report are:

- to present the regulation framework used for the implementation of the Directive no. 2004/49/EC in the Romanian legislation;
- to present the Romanian Railway Investigating Body functioning, organizing and relationships with other bodies that operate in the Romanian railway system;
- to present the investigating activity and its general framework.

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A. Introduction

1. General overview

The main duty of the Romanian Railway Investigating Body – OIFR is to investigate the serious accidents of the railway system. Also, OIFR can investigate, in addition to the serious accidents, those accidents and incidents that in conditions with the slight difference could lead to serious accidents, including technical failures of the structural subsystems or of the interoperability constituents of the European conventional or high speed railway systems.

OIFR is organized and operates according to the provisions of the Law no. 55/16.03.2006 concerning the railway safety and according to the Government Decision no. 1561/01.11.2007 in order to modify and complete the Government Decision no. 626/1998 concerning the Romanian Railway Authority – AFER organizing and functioning.

OIFR objective is that, through a more open investigation, to establish the reasons that led to the railway accidents and events, and, eventually, to draw up safety recommendations that lead to the railway safety improvement and to the accidents forestalling. The investigation does not aim to account to establish the guilt and the responsibility.

2. The railway events situation happened during the year 2006

2.1. Trains collisions, including collisions with obstacles within the clearance gauge

No.	Date occurrence	Place occurrence	Short description	Cause
1	The 18 th of November 2006	the railway station Basarabi - the railway station Dorobanțu	Between the railway stations Basarabi and Dorobanțu, on the stretch of rails II, at the 293+600 km., the freight train no. 70854 reached the freight train no. 84942, colliding it strongly. Because of it, the last 4 wagons of the freight train no. 84942 have derailed. Also, the first axle of the first bogie in the direction of the traffic of the locomotive EA 1022 that hauled the train no. 70854, has derailed.	The overrunning of the stopped passing signal BL 8 and the isolation of the block signal device of the locomotive EA 1022, that hauled the freight train no. 70854.
2	The 12 th of December 2006	Hm Mera – the railway station Baciui Triaj	The freight train no. 31208 was reached and collided by the passenger train no. 3634. Because of it, the last two wagons of the freight train and the locomotive and the first coach of the passenger train have derailed.	The dispatch of the passenger train no. 3634 when the line was occupied by the freight train no. 31208.
3	The 25 th of August 2006	the railway station Bucureștii Noi	The dispatch of the passenger train no. 12096 from the railway station Bucureștii Noi to the railway station Bucuresti Nord when the passenger train no. 797 had not cleared the running line, being stopped in front of the entry signal of the railway station Bucureștii Noi.	The dispatch of the passenger train no. 12096 from the railway station Bucureștii Noi to the railway station Bucuresti Nord when on the running line București Nord – Bucureștii Noi was the passenger train no. 797 who did not observe the instruction regulations.

4	The 10 th of May 2006	H.m. Strâmbuța	The freight train no. 30476 overruns the stopped entry signal Y from H.m. Strâmbuța, crosses the H.m. Strâmbuța, overruns the exit signal Y2 from H.m. Strâmbuța and enters the running line Strâmbuța - Pietrele Albe, that was occupied by the freight train no. 24601.	The non-observance by the freight train driver of the entry signals position Y and of the exit signals position Y2 in the H.m. Strâmbuța.
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2.2. Trains derailments

No.	Date occurrence	Place occurrence	Short description	Cause
1	The 14 th of January 2006	The railway station Balotești	At the exit of the passenger train no. 874 to Căciulați from the deflecting section, at the crossing over the points no. 8, the both bogies of the locomotive no. 65-1046-5 have derailed and also the first bogie of the coach no. 50531147100-5, the first after the locomotive, has derailed.	Non-taking of the safety measures concerning the replacement of the out of service devices of the signal box CEM.
2	The 28 th of May 2006	H.m. Otopeni – H.m. Voluntari	In the traffic of the freight train no. 53395 have derailed the locomotive and the first 4 wagons of the train.	A non-completed drawing up of the freight train no. 53395 exit route by the service official from H.m. Voluntari.
3	The 7 th of November 2006	H.m. Breaza Nord	The derailment of one axle of one wagon from the the freight train no. 70785.	The rim of the wheel detachment of the wheel no. 5 of the wagon no. 84535366261-0.
4	The 5 th of December 2006	The railway station Dâmbu	The last bogie of the last wagon from the passenger train no. 7065 derailed.	The handling of the point switch 2/4 under the train.
5.	The 31 st of May 2006	H.m. Poarta	At the 433+950 km from the entrance in the tunnel Poarta one axel of the wagon no. 43802320024-1 derails, because of its unloading during the hauling.	Exceeding of the head of rail by the rim lip of the wheel of the axel of the wagon with the 640 mm diameter, because of the longitudinal dynamic forces created in the train case due to the slackening of speed in the section with restriction.
6.	The 26 th of April 2006	H.m. Nimigea – the railways station Salva	The derailment of one bogie of the last wagon of the passenger train no. 4464.	The lost of the supporting strength of the track bed because of the settlements produced during the big rainfalls.
7.	The 25 th of July 2006	the railway station Oradea Est	The derailment of one bogie of the wagon no. 31563552004-4 of the freight train no. 46622.	The non curve negotiation of the wagon due to the centre casting locking, because of the expulsion of the polyamide plate.
8.	The 18 th of September 2006	the railways station Sărmășag – H.m. Acăș	The derailment of one bogie of the wagon no. 33537816058 from the freight train no. 42690.	The non curve negotiation of the wagon due to the centre casting locking, because of the expulsion of the polyamide plate.

No.	Date occurrence	Place occurrence	Short description	Cause
9.	The 24 th of December 2006	the railway station Câmpia Turzii	At the crossing of the freight train no. 93216 over the points no. 30, one wagon overturned and one bogie of the following two wagons derailed.	The non curve negotiation of the wagon no. 82537880862-0.
10.	The 26 th of February 2006	H.m. Augustin – the railways station Apața	The axel journal breakage on the left side from the first pair of wheels of the second bogie in the direction of the wagon no. 35547881070 traffic of the freight train no. 83132.	The breakage of the inner ring of the roller bearing type WJP.
11.	The 21 st of March 2006	the railway station Predeal	The derailment of the first bogie in the direction of traffic of the locomotive EA no. 029 from the passenger train no. 1622.	The detachment of a rim part from the first axle in the direction of traffic.
12.	The 4 th of April 2006	H.M. Timișu de Sus – the railway station Dârste	The derailment of one bogie of the wagon no. 31535484424-5 of the freight train no. 41043.	The exceeding of the load ratio between the wheels of the same axle due to the movement of the load.
13.	The 23 rd of October 2006	the railway station Rupea	The derailment of one bogie of the wagon no. 82533881351-3 from the freight train no. 93218	The axle journal breakage no. 2 because of the WJ ring destruction.
14.	The 13 th of March 2006	H.m. Larion	At the banking shunting derail of the first 3 the wagons after the locomotive of the freight train no. 43371 hauled by the locomotive EA 886, snowed up on the deflecting section 2, during the banking shunting for the running.	The strong banking of the locomotive EA 853 – pinch bars, non-coupling at the train and brake.
15.	The 2 nd of March 2006	the railway station Brăila	At the crossing on the main line II of the freight train no. 60403 3 wagons derailed.	The sidewise movement of the rim from the wheel body no. 5 of the 5 th wagon from the signal, due to the lost of the tightening between this one and the tyre
16.	The 20 th of November 2006	H.m. Urechești-Caciulati	At the 21+350 km derailed one axle of the tower wagon DPE 82-020, that runs on the available train path no. 58967.	The axle journal breakage from the axle 2, the left wheel in the direction of traffic. The axle journal broke in the connection point with the wheel.
17.	The 5 th of March 2006	The railways station Constanța Ferry Boat	During the parking of the train no. 80087 on the line 9 belonging to the National Company “Administrația Porturilor Maritime” Constanța, derailed the first bogie or the wagon no. 315345560207 in the direction of traffic.	Widening of the gauge under the load.
18.	The 24 th of August 2006	H.m. Lumina	At the 22+260 km, one bogie of the locomotive DA 1209 derailed, the locomotive hauled the freight train no. 59214, belonging to the SC Unifertrans SA.	The non observance of the tolerances in the line operation.
19.	The 31 st of December 2006	The railways station Medgidia – H.m. Mircea Voda Line 2	Between the railway stations Medgidia and Mircea Voda, at the 183+690 km the second axle of the second bogie of the coach no. 515320550468 from the passenger train no. 684 derailed.	The rail breakage under the load at the glued insulated joint from the right stretch of rails.

2.3. Level track crossing accidents:

- 155 accidents with: 24 dead persons and 16 injured persons

2.4 Rolling stock fires:

- 6 fires with : 5 locomotives and 1 wagon

Incidents: 256

3. The accidents investigation

Now in Romania there are 2 deferent activities concerning the railway accidents and incidents:
the railway accidents and incidents inquiry,
the railway accidents and incidents investigation.

3.1. The railway accidents and incidents inquiry

In Romania all the railway accidents and events are inquired according to the Instructions 003/2000 concerning the prevention and the investigation of the railway accidents and incidents.

According to the provisions of the chapter II, art. 9 from the Instructions 003/2000, the inquiry of the railway accidents and incidents consists of the activities for the establishing of the circumstances of their occurrence, reasons, infringements, guilty persons and the necessary prevention measures.

According to the provisions of the chapter XI, art. 46 from the Instructions 003/200, the railway accidents and events inquiry is done by the Commissions stipulated in Annex 1. The inquiry Commission is independent from the Romanian Railway Investigating Body.

According to the provisions of the chapter XI, art. 61(1) from the Instructions 003/2000 the inquiries will be ended with an inquiry report according to the model in the annex 4.

According to the provisions of the chapter XI, art. 63 from the Instructions 003/2000, the inquiry file has to contain the documents stipulated in annex 5.

According to the provisions of the chapter XI, art. 62(1) from the Instructions 003/2000, the railway accidents and incidents inquiry will be ended within 5 weekdays at the most, starting from its occurrence date. The exceeding of this deadline will be done observing the provisions of the chapter XI, art. 62(2) and/or art. 65

According to the provisions of the chapter XI, art. 64 from the Instructions 003/2000, the copies of the inquiry files are sent by the Commission president, to the companies managers involved in the occurrence of the railway accidents and incidents, in order to implement the established measures.

According to the provisions of the chapter XI, art. 72 from the Instructions 003/2000:

- paragraph (1): the railway accidents inquiry files are obligatory sent, by the Railway State Inspectorate of the Romanian Railway Authority – AFER, to the prosecutor's offices where occurred the railway events
- paragraph (2): the railway events inquiry files stipulated at the art. 14, groups from A1 to A3, will be obligatory sent by the company manager, who has personnel guilty for the events occurrence, to the prosecutor's offices where these railway events occurred.
- paragraph (3): the railway events inquiry files can be sent to the prosecutor's offices where the railway events occurred, if necessary, by the company manager who has personnel involved in their occurrence.
- paragraph (4): the measures stipulated at the paragraphs (1), (2) and (3) will be adopted independently from the disciplinary penalties

According to the provisions of the art. 3, paragraph (2), point n from the annex 1 (The Organizing and functioning Regulations of the Romanian Railway Safety Authority – ASFR) of the HG 1561/2006 for the changing and amending of the HG no. 626/1998 concerning the organizing and functioning of the Romanian Railway Authority – AFER, the Romanian Railway Safety Authority – ASFR inquires the railway accidents and ends the inquiry of the other railway events in case of conflict of opinions between the involved parties, inclusively in the subway activity.

Also according to the provisions of the art. 3, paragraph (2), point o from the same annex the Romanian Railway Safety Authority notify the Romanian Railway Investigating Body about the railway events occurrence.

3.2. The railway incidents and accidents investigation

The railway incidents and accidents investigation is carried out according to the Law no. 55/2006 concerning the railway safety and to the HG no. 1561/2006 concerning the changing and amending of the HG no. 626/1998 concerning the organizing and the functioning of the Romanian Railway Authority – AFER that implement in the Romanian legislation the Directive no. 49/2004 concerning the railway safety.

According to the provisions of the chapter I, art. 3, point p from the Law 55/2006 concerning the railway safety, the investigation is a process carried out in order to prevent the railway incidents and accidents, that includes to collect and analyse the information, to establish the conditions, inclusively to establish the circumstances of their occurrence and, if necessary, to establish some safety recommendations.

According to the provisions of the chapter V, art. 19 from the Law 55/2006 concerning the railway safety, the Romanian Railway Investigating Body carries out an investigation of the serious railway accidents, its objective being to improve the railway safety and to prevent the accidents.

The Romanian Railway Investigating Body can investigate, in addition to the serious accidents, those accidents and incidents that in slight different circumstances can lead to serious accidents, inclusively technical problems of the structural subsystems or of the European conventional or high speed systems interoperability constituents. The Romanian Railway Investigating Body decides, in accordance with the situation, if carries out an investigation of a such accident or incident, taking into account in its decision the following aspects:

- a) how serious is the accident or the incident;
- b) if it belongs to a series of relevant accidents or incidents for the entire system;

- c) its impact on the communitary safety;
- d) applications of the infrastructure managers, of the undertakings, of the Romanian Railway Safety Authority or of the member states of the European Union.

The investigation does not aim to establish the guilt or the responsibility.

According to the provisions of the chapter V, art. 20 of the Law no. 55/2006 concerning the railway safety, the status of the investigation is the following:

- 1) The investigation is an administrative act from the juridical viewpoint, giving to the main investigators the permission to fulfill their tasks efficiently and in the shortest time possible.
- 2) According to the legislation in force and, if necessary, together with the responsible authorities for the juridical investigation, one gives to the investigators, as soon as possible, the following:
 - a) their access to the accident or incident place, as well as to the rolling stock involved, to the respective infrastructure and to the control devices of the traffic and to the signaling devices;
 - b) the right to draw up immediately a list of proves and to remove, under control, the vehicles, the devices or the infrastructure components in order to examine or to analyze;
 - c) the access to/and the use of the data contains of the register devices on board and of the register equipments of the verbal messages and of the register of the traffic control and signaling system;
 - d) the access to the examination result of the victims bodies;
 - e) the access to the examination of the train staff and of the other railway staff involved in the accident or incident;
 - f) the possibility to inquire the involved railway staff and the other witnesses;
 - g) the access to any relevant information or evidence detained by the infrastructure manager, the undertaking or the Romanian Railway Safety Authority.
- 3) The investigation is carried out independently from any juridical inquiry.
- 4) In the investigation process the Romanian Railway Investigating Body can, if necessary, to ask the support of the specialists from connected areas.

4. Safety Directive – the implementation level

The Directive 2004/49/EC was implemented into the Romanian legislation by the Law no. 55/2006 concerning the railway safety. According to this legal paper were set up, in the Romanian Railway Authority – AFER, 4 independent bodies with permanent activity:

- Romanian Railway Safety Authority;
- Romanian Railway Notified Body;
- Romanian Railway Investigating Body,
- Romanian Railway Licensing Body.

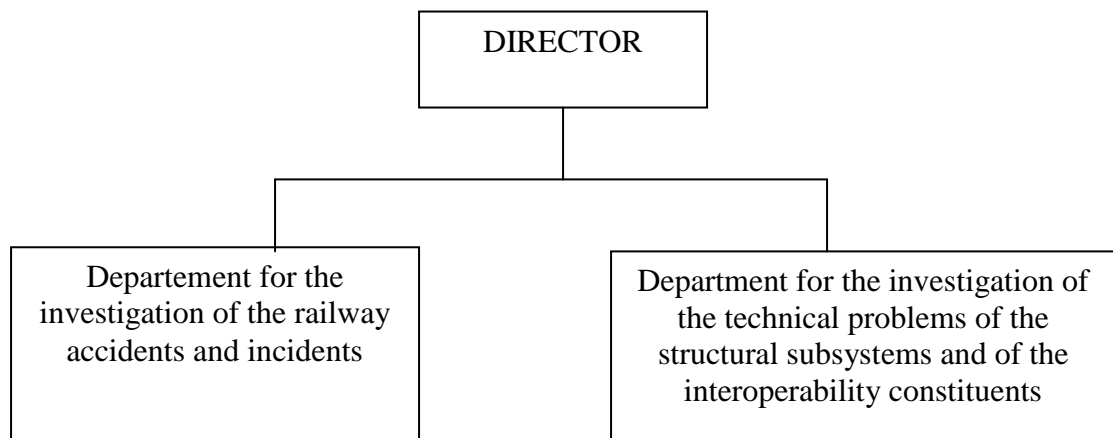
The organizing and the functioning of the Romanian Railway Authority and of the 4 independent bodies were established by the HG 1561/2006.

B. Organization

1. General overview

According to the provisions of the Law no. 55/2006 concerning the railway safety and of the HG no. 1561/2006, for the changing and amending of the HG no. 626/1998 concerning the Romanian Railway Authority organizing and functioning, the Romanian Railway investigating Body – OIFR is an independent body into the Romanian Railway Authority – AFER, designated to carry out the following activities:

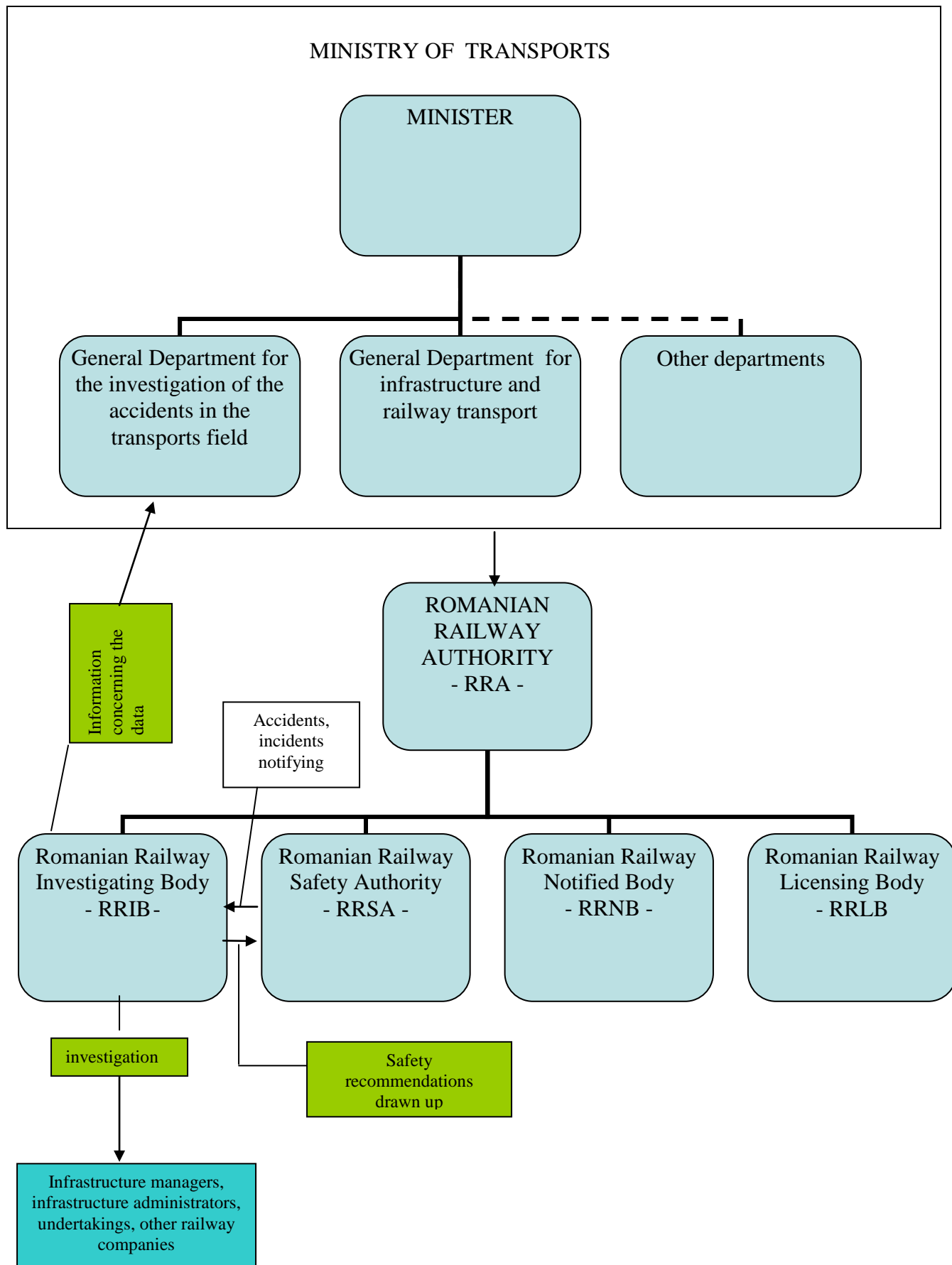
- to investigate the serious railway accidents;
- to investigate other accidents and incidents that in slight different circumstances could lead to serious accidents;
- to investigate the technical problems of the structural subsystems or of the interoperability constituents of the European conventional or high speed railway systems;
- to ask or to offer assistance to the similar investigation bodies from other member countries of the European Union or to the European Railway Agency, in order to offer competences or to carry out technical inspections, analyses or estimates;
- to draw up an annual report concerning its activities carried out in the previous year, published in the AFER Journal and on its site and sends it to the European Railway Agency until the 30th of September the later; also, it publishes final reports of the carried out investigations in the AFER Journal and on its site and sends them to the European Railway Agency;
- other specific duties of its field of activity, entrusted to it by juridical papers.



Starting from 2007, OIFR has 10 employees with investigator tasks. OIFR management is ensured by a Director Board whose president is the OIFR Director. The OIFR Director is supported in the operative management by 2 heads of departments.

2. The organization chart

In the year 2007 the OIFR organization chart in the relation with other institutions involved is the following:



C. Investigating process

1. Independent basis of investigation

According to the provisions of the chapter V, art. 21, paragraph 1 of the Law 55/2006 concerning the railway safety, the Romanian Railway Investigating Body is independent in its organizing, juridical structure and decisions taking of any infrastructure manager, undertaking, tariffs, allocation and notified body, as well as of any part whose interests could conflict with the tasks entrusted to the Romania Railway Investigating Body. The Romanian Railway Investigating Body is independent, from the functional viewpoint, of the Romanian Railway Safety Authority and of any regulation authority of the railway system.

2. Institutions involved in investigations

According to the provisions of the chapter V, art. 21 of the Law no. 55/2006 concerning the railway safety, the Romanian Railway Investigating Body fulfils its duties independently of the legal persons stipulate dat the paragraph 1 and detains the necessary resources in this regard. The investigators are completely independent in the fulfilling of their investigation duties.

3. The investigation process

The investigation process is carried out more openly, so that the parts be able to be listened and to have access to the results. The infrastructure manager and the undertakings involved, the Romanian Railway Safety Authority, the injured persons and their relatives, the owners of the deteriorated goods, the manufactures, the emergency services involved and the representatives of the personel and of the users are regularly informed about the investigation and its course, giving at their request, the posibility to present their opinions and their points of view on the investigation and to comment upon the information from the reporting projects.

The Romanian Investigating Body ends its exeminations at the accident place in the shortest time possible, in order to allow to the infrastructure manager to repair it and to open it as soon as possible.

D. Investigating activities

There are no investigations during the year 2006.

E. Recommendations

There are no recommendations during the year 2006.