



Entity in Charge of Maintenance

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Safety Certification



- 1. Legal context**
- 2. ECM certification scheme**
- 3. State of play**





- 1. Legal context**
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Directive 2004/49/EC – Art. 14a

- 1. Each vehicle, before it is placed in service or used on the network, shall have an entity in charge of maintenance assigned to it and this entity shall be registered in the NVR in accordance with Article 33 of the Railway interoperability Directive.*
- 2. A railway undertaking, an infrastructure manager or a keeper may be an entity in charge of maintenance.*
- 3. Without prejudice to the responsibility of the railway undertakings and infrastructure managers for the safe operation of a train as provided for in Article 4, the entity shall ensure that the vehicles for which it is in charge of maintenance are in a safe state of running by means of a system of maintenance*



Directive 2004/49/EC – Art. 14a

4. In case of freight wagons, each entity in charge of maintenance shall be certified by a body accredited or recognised in accordance with paragraph 5, or by a national safety authority.

5. Based on a recommendation by the Agency, the Commission shall, by 24 december 2010, adopt a measure establishing a system of certification of the entity in charge of maintenance for freight wagons.

6. The certificates granted in accordance with paragraph 5 shall be valid throughout the Community.



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Draft Commission Regulation (EU) .../...

Purpose

➤ *provide evidence that an entity in charge of maintenance has established its maintenance system to ensure the safe state of running of any freight wagon for which it is in charge*

Scope

- *any entity in charge of maintenance for freight wagons to be used on the railway network within the Union*
- *maintenance workshops or any organisation taking on a subset of ECM functions – on a voluntary basis*



Draft Commission Regulation (EU) .../...

Maintenance System

- *management function*
 - *supervision and coordination of maintenance functions*
 - *ensuring the safe state of the freight wagon in the rail system*
- *maintenance development function*
 - *management of the maintenance documentation*
 - *based on design, operational data, performance and return on experience*
- *fleet maintenance management function*
 - *management of freight wagon's removal for maintenance*
 - *management of its return to operation after maintenance*
- *maintenance delivery function*
 - *delivery of the required technical maintenance*
 - *including the release to service documentation*



Draft Commission Regulation (EU) .../...

*Maintenance System – **basis for ECM certificate***

ECM Management

Maintenance Development

Fleet Maintenance Management

Maintenance Delivery



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Maintenance System – certification of separate maintenance functions

ECM Management

Maintenance Development

Fleet Maintenance Management

Maintenance Delivery



Draft Commission Regulation (EU) .../...

Maintenance System – certification of separate maintenance functions

ECM Management

Maintenance Development

Fleet Maintenance Management

Maintenance Delivery

certification of maintenance workshop





Draft Commission Regulation (EU) .../...

Relationships between parties involved in maintenance

Railway Undertaking

ECM Management

Maintenance Development

Fleet Maintenance Management

Maintenance Delivery

2004/49/EC – 4.3

... each IM and RU shall be made responsible for its part of the system and its safe operation, including supply of material and contracting of services...



Draft Commission Regulation (EU) .../...

Relationships between parties involved in maintenance

- *railway undertaking shall ensure that freight wagons it operates have a certified ECM and that use of wagons corresponds to scope of certificate*
- *following contractual arrangements, all parties(RU, ECM, keeper) involved in maintenance shall exchange relevant information about maintenance*
 - *information for operational purposes from ECM to RU*
 - *information on the operation from RU to ECM*
 - *safety-related malfunctions, near-misses, dangerous occurrences, any possible restriction on the use*



Draft Commission Regulation (EU) .../...

Relationships between parties involved in maintenance

- *the certificate of ECM shall be accepted by a national safety authority as proof of a RU to meet the following requirements governing maintenance and the control of contractors and suppliers:*
 - *(B.1) procedures to derive maintenance requirements/standards/processes from safety data and from the assignment of rolling stock*
 - *(B.2) procedures to adapt maintenance intervals according to the type and extent of service performed and/or data from rolling stock*
 - *(B.3) procedures to ensure that the responsibility for maintenance is clearly defined to identify the competencies required for maintenance posts and to allocate appropriate levels of responsibility*
 - *(C.1) procedures to verify the competence of contractors (including subcontractors) and suppliers*



Draft Commission Regulation (EU) .../...

Relationships between parties involved in maintenance

- *still to be checked by the national safety authority :*
 - *(B.4) procedures to collect information on malfunctions and defects arising from day-to-day operation and to report them*
 - *(B.5) procedures to identify and report risks arising from defects and construction non-conformities or malfunctions throughout the lifecycle*
 - *(B.6/C.2) procedures to verify and control the ~~performance and results of~~ maintenance/contracted services to ensure that they comply with standards/requirements*



Draft Commission Regulation (EU) .../...

Certification bodies

- *‘certification body’ means a national safety authority or a body accredited or recognised by a Member State as an entity in charge of awarding maintenance certificates, on the basis of criteria in Annex II*
- *ECM certificates shall be awarded by any competent certification body, chosen by the applicant entity in charge of maintenance*

System of certification

- *certification based on assessment of the ability of the ECM to meet the relevant requirements in Annex III and to apply them consistently*
- *it shall include a system of surveillance to ensure continuing compliance after the award of the certificate*
- *an ECM certificate shall be valid for a period up to five years*



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Draft Commission Regulation (EU) .../...

Transitional provisions

- *ECM certificates to be issued according to Regulation from 1 year after date of entry into force (= 20th day following date of publication)*
- *ECM for freight wagons registered in the NVR on the date of entry into force shall apply in due time in view to obtain an ECM certificate by not later than 24 months from the date of entry into force of the Regulation*



Thank you for your attention