

# 4<sup>th</sup> Railway Package Outcome from the European Council June 10, 2013, Luxembourg

## BRIEF

*Keywords: European Council, 4<sup>th</sup> Railway Package, Recast of the Interoperability Directive, ERA, NSA*

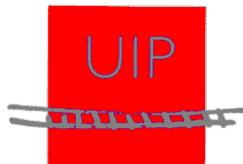
On June 10 in Luxembourg, the European Council reached a general compromise on the recast of the Interoperability Directive (**COM(2013)30**). The compromise on this part of the technical pillar in the 4<sup>th</sup> Railway Package, includes a dual system approach to vehicle authorisation including the separation of tasks and responsibilities between the ERA and the NSA. This means that:

- For vehicles used in cross-border operations ERA will issue the vehicle authorisation based on assessment carried out by the NSAs.
- For vehicles used for national operations only, the applicant can choose either the ERA or the NSA for the authorisation process.
- With regards to the liability issue when ERA provides the authorisations, the NSA "may enter into specific cooperation arrangements with the Agency in the case of networks requiring specific expertise for geographical or historical reasons".
- Transition period for the new vehicle authorisation procedure is set for 5 years, and not for 2 years as originally proposed by the European Commission.
- A new provision will be included in the *ERA Regulation* (**COM(2013)27**) on a specific framework for the financial aspects of the cooperation agreements between the Agency and the NSAs. This will include a model for financial apportioning of fees paid by the applicant.

The scope of exemptions has been extended to vehicles circulating between Member States and third countries with a different gauge.

With the above points in mind the European Council has also extended the obligations of the European Commission to report on:

- the functioning of the ERA
- the cooperation arrangements between ERA and the NSAs
- the convergence between national vehicle registers (NVRs) and
- the traceability of safety-critical components.



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