



EIM amendments to the proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the certification of train crews operating locomotives and trains
on the Community's rail network**

COM(2004) 142 final 2004/0048 (COD)

Title	
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the certification of train crews operating locomotives and trains on the Community's rail network	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the certification of train drivers operating /---/ on the Community's rail network
<i>Justification</i>	
<p><i>The scope of the directive should be limited to train drivers. The inclusion of all kinds of drivers of locomotives and of other categories of train crews is not necessary at this stage given that the main purpose should be to allow mutual recognition of licences for drivers passing across intra-Community borders. Furthermore, the proposal by the Commission does not make sufficient provisions for the inclusion of other categories.</i></p>	
Recital 6	
(6) To guarantee the necessary uniformity and transparency, the Community should establish a single certification model, mutually recognised by the Member States, attesting both to train crews' compliance with certain requirements and basic fitness and to their competence, leaving it to the Member States to issue the basic licence and to railway undertakings to issue a harmonised complementary certificate.	(6) To guarantee the necessary uniformity and transparency, the Community should establish a single certification model, mutually recognised by the Member States, attesting both to train drivers' compliance with certain requirements and basic fitness and to their competence, leaving it to the Member States to issue the basic licence and to railway undertakings to issue a harmonised complementary certificate.
<i>Justification</i>	
<p><i>See amendment no... (on the title)</i></p>	

<p>Chapter I Subject matter, scope and definitions</p>	
<p><i>Article 1</i> <i>Subject matter</i> This Directive lays down the conditions and procedures for the certification of train crews operating locomotives and trains on the Community's rail network. For this purpose, it also specifies the tasks for which the competent authorities of the Member States, the train drivers and other stakeholders in the sector, in particular the railway undertakings, infrastructure managers and training centres, are responsible. The employment of train crews certified in accordance with this Directive shall not exonerate railway undertakings and infrastructure managers from their obligation to set up a system of monitoring and internal control of the competence and conduct of their train crews pursuant to Article 9 of and Annex III to Directive 2004/xxx/EC on railway safety. The certificate shall not relieve either the railway undertaking or the infrastructure manager of its responsibility as regards safety and, in particular, the training of its staff.</p>	<p><i>Article 1</i> <i>Subject matter</i> This Directive lays down the conditions and procedures for the certification of /.../ drivers operating /.../ trains on the Community's rail network. For this purpose, it also specifies the tasks for which the competent authorities of the Member States, the train drivers and other stakeholders in the sector, in particular the railway undertakings, infrastructure managers and training centres, are responsible. /.../</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>The scope of the directive should be limited to train drivers. The inclusion of all kinds of drivers of locomotives and of other categories of train crews is not necessary at this stage given that the main purpose should be to allow mutual recognition of licences for drivers passing across intra-Community borders. The second part is already explained through recital no 1.</i></p>	

Article 2

Definitions

For the purposes of this Directive:

- (a) "competent authority" means the authority appointed by the Member State to issue the driver's licence after establishing that the applicant meets the necessary requirements. This is the national safety authority set up under Article 16 of Directive 2004/xxx/EC [on railway safety];
- (b) "train driver" means a person capable of driving **shunting locomotives, work trains or** trains for the carriage of passengers or goods by rail in an autonomous, responsible and safe manner. **A train driver's duties are listed in Annex II to this Directive;**
- (c) **"train crew" means train drivers and other staff on the locomotive or train who have an indirect role in driving it and whose professional qualifications accordingly contribute to traffic safety;**
- (d) "infrastructure manager" means any entity or undertaking responsible in particular for the establishment and maintenance of the railway infrastructure, or any part thereof, as defined in Article 3 of Directive 91/440/EEC;
- (e) "railway undertaking" means any public or private undertaking the business of which is to provide services for the carriage of goods and/or passengers by rail, with the requirement that the undertaking must ensure traction; this also includes undertakings which provide traction only;
- (f) "technical specifications for interoperability" or "TSIs" means the specifications adopted under Council Directive 96/48/EC²⁷ and Directive 2001/16/EC²⁸ of the European Parliament and of the Council, which must be complied with in order to ensure the interoperability of the trans-European rail system;
- (g) "Agency" means the European Railway Agency established by Regulation [(EC) No .../2004 [of the European Parliament and of

Article 2

Definitions

For the purposes of this Directive:

- (a) "competent authority" means the authority appointed by the Member State to issue the driver's licence after establishing that the applicant meets the necessary requirements. This is the national safety authority set up under Article 16 of Directive 2004/xxx/EC [on railway safety];
- (b) "train driver" means a person capable of driving /---/ trains for the carriage of passengers or goods by rail in an autonomous, responsible and safe manner. /---/ /---/
- (d) "infrastructure manager" means any entity or undertaking responsible in particular for the establishment and maintenance of the railway infrastructure, or any part thereof, as defined in Article 3 of Directive 91/440/EEC;
- (e) "railway undertaking" means any public or private undertaking the business of which is to provide services for the carriage of goods and/or passengers by rail, with the requirement that the undertaking must ensure traction; this also includes undertakings which provide traction only;
- (f) "technical specifications for interoperability" or "TSIs" means the specifications adopted under Council Directive 96/48/EC²⁷ and Directive 2001/16/EC²⁸ of the European Parliament and of the Council, which must be complied with in order to ensure the interoperability of the trans-European rail system;
- (g) "Agency" means the European Railway Agency established by Regulation [(EC) No .../2004 [of the European Parliament and of the Council] ²⁹;
- (h) "safety certificate" means the certificate issued to a railway undertaking by the national safety authority in accordance with Article 10 of Directive 2004/xxx/EC [on



<p>the Council] 29; (h) "safety certificate" means the certificate issued to a railway undertaking by the national safety authority in accordance with Article 10 of Directive 2004/xxx/EC [on railway safety]; (i) "safety authorisation" means the certificate issued to an infrastructure manager by the safety authority in accordance with Article 11 of Directive 2004/xxx/EC on railway safety;</p>	<p>railway safety]; /---/</p>
<p><i>Justification</i></p> <p><i>See amendments no...and no... on the title and Article 1. Annex II is at large superfluous, since it is too general to add any important information on the duties of train drivers. Furthermore, it could give a dangerous perception that it is a complete list. References to train crews and safety authorization of infrastructure managers are also superfluous, given the reduction of the scope of the directive and the fact that an infrastructure manager that employs train drivers is obliged to hold a safety certificate besides the safety authorization.</i></p>	
<p><i>Article 3</i> <i>Scope</i> The purpose of this Directive is the certification of train crews operating locomotives and trains on the Community's rail network for a railway undertaking requiring a safety certificate or an infrastructure manager requiring a safety authorisation.</p>	<p><i>Article 3</i> <i>Scope</i> The purpose of this Directive is the certification of drivers operating /.../ trains on the Community's rail network for a railway undertaking requiring a safety certificate/.../.</p>
<p><i>Justification</i></p> <p><i>The exclusion of other categories than train drivers allows as well for the elimination of the reference to infrastructure managers. If and when any infrastructure manager employs train drivers he is regarded as a railway undertaking and needs a safety certificate.</i></p>	
<p>Chapter II</p>	
<p>Certification of drivers</p>	
<p><i>Article 4</i> <i>Community certification model</i> 1. All train drivers shall have the necessary fitness and qualifications to drive trains and shall hold the following documents: (a) a licence identifying the driver and the authority issuing the certificate and stating the duration of validity. The licence</p>	<p><i>Article 4</i> <i>Community certification model</i> 1. All train drivers shall have the necessary fitness and qualifications to drive trains and shall hold the following documents: (a) a licence identifying the driver and the authority issuing the certificate and stating the duration of validity. The licence</p>



<p>shall be the property of the driver and shall be issued, on application, to the driver who satisfies the minimum conditions as regards medical and psychological fitness, basic education and general professional skills. The licence shall comply with the requirements of Annex I;</p> <p>(b) a harmonised certificate stating that the holder has received additional training in the framework of the railway undertaking's safety management system or, in the case of drivers employed by the infrastructure manager, that of the latter, indicating the infrastructures on which the holder is authorised to drive and the rolling stock which the holder is authorised to drive. The harmonized certificate shall comply with the requirements of Annex I.</p> <p>2. The harmonised complementary certificate shall authorise driving in one or more of the following categories:</p> <p>(a) category A: shunting locomotives and work trains;</p> <p>(b) category B: carriage of passengers;</p> <p>(c) category C: carriage of goods.</p> <p>3. With regard to the licence referred to in paragraph 1(a) above, the general system for the recognition of professional qualifications established by Council Directive 92/51 shall still apply to the recognition of the professional qualifications of drivers who are nationals of a Member State and have obtained their training certificate in a third country. Drivers whose professional qualifications are recognised on this basis shall have to be issued certificates in accordance with this Directive.</p>	<p>shall be the property of the driver and shall be issued, on application, to the driver who satisfies the minimum conditions as regards medical and psychological fitness, basic education and general professional skills. The licence shall comply with the requirements of Annex I;</p> <p>(b) a harmonised certificate stating that the holder has received additional training in the framework of the railway undertaking's safety management system, /---/ indicating the infrastructures on which the holder is authorised to drive and the rolling stock which the holder is authorised to drive. The harmonized certificate shall comply with the requirements of Annex I.</p> <p>2. The harmonised complementary certificate shall authorise driving in one or more of the following categories:</p> <p>/--/</p> <p>(a) category A: carriage of passengers;</p> <p>(b) category B: carriage of goods.</p> <p>3. With regard to the licence referred to in paragraph 1(a) above, the general system for the recognition of professional qualifications established by Council Directive 92/51 shall still apply to the recognition of the professional qualifications of drivers who are nationals of a Member State and have obtained their training certificate in a third country. Drivers whose professional qualifications are recognised on this basis shall have to be issued certificates in accordance with this Directive.</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>The exclusion of other categories than train drivers allow for the elimination of category A. It is still useful to separate between drivers of passenger trains and drivers of freight trains, since the restructuring of the railway undertakings show in increasing degree that passenger and freight operations are carried out by specialized companies.</i></p>	

<p><i>Article 5</i> <i>Issuing bodies</i></p> <p>1. The licence referred to in Article 4(1)(a) shall be issued by the competent authority referred to in Article 2(a). The competent authority may delegate this task only under the terms provided for in Article 17.</p> <p>2. The harmonised certificate referred to in Article 4(1)(b) shall be issued by the railway undertaking which employs the driver or, where appropriate, by the infrastructure manager.</p>	<p><i>Article 5</i> <i>Issuing bodies</i></p> <p>1. The licence referred to in Article 4(1)(a) shall be issued by the competent authority referred to in Article 2(a). The competent authority may delegate this task only under the terms provided for in Article 17.</p> <p>2. The harmonised certificate referred to in Article 4(1)(b) shall be issued by the railway undertaking which employs the driver. /---/</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>See amendment no ...</i></p>	
<p><i>Article 6</i> <i>Mutual recognition</i></p> <p>1. Once drivers have the licence and the harmonised complementary certificate issued in accordance with this Directive, they may drive trains provided that the railway undertaking or the infrastructure manager responsible for the transport in question has a safety certificate or a safety authorisation, and only on the network covered both by the harmonised complementary certificate and by the safety certificate, or the safety authorisation.</p> <p>2. Licences issued by a Member State in accordance with this Directive shall be mutually recognised by the other Member States.</p>	<p><i>Article 6</i> <i>Mutual recognition</i></p> <p>1. Once drivers have the licence and the harmonised complementary certificate issued in accordance with this Directive, they may drive trains provided that the railway undertaking /---/ responsible for the transport in question has a safety certificate, /---/ and only on the network covered both by the harmonised complementary certificate and by the safety certificate. /---/</p> <p>2. Licences issued by a Member State in accordance with this Directive shall be mutually recognised by the other Member States.</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>See amendment no ...</i></p>	
<p>Chapter III Conditions and procedure for obtaining the licence and the harmonised complementary certificate</p>	

<p><i>Article 7</i> <i>Minimum requirements</i> To obtain the licence, applicants shall satisfy the minimum requirements set out in Articles 8, 9 and 11(1) and (2). To obtain the harmonised complementary certificate, applicants shall hold a licence and satisfy the minimum requirements set out in Articles 10 and 11(1), (3) and (4). Without prejudice to Article 6, a Member State may be more demanding with regard to the issuing of licences on its own territory.</p>	<p><i>Article 7</i> <i>Minimum requirements</i> To obtain the licence, applicants shall satisfy the minimum requirements set out in Articles 8, 9 and 11(1) and (2). To obtain the harmonised complementary certificate, applicants shall hold a licence and satisfy the minimum requirements set out in Articles 10 and 11(1), (3) and (4). /---/</p>
<p><i>Justification</i></p> <p><i>There is a risk that the purpose of the directive, i.e. to allow for mutual recognition, will be jeopardized if the arrangements allow for different licence requirements in different Member States.</i></p>	
<p><i>Article 8</i> <i>Minimum age</i> Applicants shall be at least 20 years of age. However, Member States may issue licences from the age of 18 years, the validity of such a licence then being limited to the territory of the issuing Member State.</p>	
<p><i>Article 9</i> <i>Training and basic skills</i> 1. Applicants shall have received basic training equivalent to level 3 as referred to in Council Decision 85/368/EEC³⁰ and satisfy the requirements laid down in Annex III. 2. Applicants shall provide confirmation of their physical and mental fitness by passing a medical examination conducted by a medical doctor recognised by the competent authority. The examination must cover at least the criteria indicated in Annex III, points 2.1 and 4. 3. Applicants shall demonstrate their psychological fitness by passing an examination conducted by a psychologist recognised by the competent authority. The examination shall cover at least the criteria indicated in Annex III, point 2.2.</p>	

<p>4. The basic linguistic knowledge criterion referred to in Annex III, point 5, shall be met and shall be checked whenever drivers have to travel on new infrastructures involving new linguistic requirements.</p>	
<p>Article 10 Professional experience Without prejudice to Article 6, a Member State may, on its territory, require applicants to provide evidence of at least two years' professional experience in category A, as referred to in Article 4(2)(a), before they are able to move on to categories B and C.</p>	<p><i>Delete</i></p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>The deletion of category A (Article 4) makes it necessary to introduce a consequential amendment and delete this article.</i></p>	
<p>Article 11 Professional qualifications 1. Applicants shall have undergone a full programme of training as described in Annex IV, point 1, which consists of a part relating to the licence and a part relating to the harmonised complementary certificate. The training method shall satisfy the criteria in Annex IV, points 2 and 3. 2. Applicants shall have passed an examination testing their general knowledge of their profession; this examination shall cover at least the general subjects listed in Annex V. 3. Applicants shall have passed an examination testing their professional knowledge relating to the rolling stock for which the harmonised complementary certificate is being applied for; this examination shall include at least the general subjects listed in Annex VI. 4. Applicants shall have passed an examination testing their professional knowledge relating to the infrastructures for which the harmonised certificate is being</p>	<p>Article 11 Professional qualifications 1. Applicants shall have undergone a full programme of training as described in Annex IV, point 1, which consists of a part relating to the licence and a part relating to the harmonised complementary certificate. The training method shall satisfy the criteria in Annex IV, points 2 and 3. 2. Applicants shall have <i>/.../</i> demonstrated their competence through examination to test their general knowledge of their profession; this examination shall cover at least the general subjects listed in Annex V. 3. Applicants shall have <i>/.../</i> demonstrated their competence through examination to test their professional knowledge relating to the rolling stock for which the harmonised complementary certificate is being applied for; this examination shall include at least the general subjects listed in Annex VI. 4. Applicants shall have <i>/.../</i> demonstrated their competence through examination to test their professional knowledge relating to the infrastructures for which the harmonised</p>

<p>applied for. This examination shall cover at least the general subjects listed in Annex VII. Where appropriate, the examination shall also cover linguistic knowledge in accordance with Article 9(4).</p>	<p>certificate is being applied for. This examination shall cover at least the general subjects listed in Annex VII. Where appropriate, the examination shall also cover linguistic knowledge in accordance with Article 9(4).</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>The examination should ensure that the driver is competent in the subject, not only that he has the necessary (theoretical or practical) knowledge.</i></p>	
<p><i>Article 12</i> <i>Application for the licence</i></p> <p>1. The competent authority shall publish the procedure to be followed for obtaining a licence, together with the necessary forms.</p> <p>2. All licence applications shall be lodged with the competent authority by the candidate driver's employer or by the candidate driver.</p> <p>3. Applications submitted to the competent authority may concern:</p> <p>(a) the granting of a new licence: this may be a matter of a novice driver or a person who was already a driver before this Directive entered into force, or a request for a duplicate;</p> <p>(b) an update: one or more of the licence particulars have changed and must be updated.</p>	<p><i>Article 12</i> <i>Application for the licence</i></p> <p>1. The competent authority shall publish the procedure to be followed for obtaining a licence, together with the necessary forms.</p> <p>2. All licence applications shall be lodged with the competent authority by the candidate driver's employer or by the candidate driver.</p> <p>3. Applications submitted to the competent authority may concern:</p> <p>(a) the granting of a new licence: this may be a matter of a novice driver or a person who was already a driver before this Directive entered into force, or a request for a duplicate;</p> <p>(b) an update: one or more of the licence particulars have changed and must be updated.</p> <p>(c) a renewal: a licence delivered in accordance with this directive has expired.</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>There is a requirement in Article 13 that the licence must be regularly reviewed, thus there is a need for the issuing authority to lay down a procedure for renewal of licences.</i></p>	
<p><i>Article 13</i> <i>Granting of the licence</i></p> <p>The competent authority shall issue the licence no later than three weeks after receiving all the necessary documents. The licence shall be in the official language(s) of the Member State issuing it. The licence must be renewed every five</p>	

<p>years. The licence shall be the property of the driver and shall be issued in a single original. Any reproduction of the licence, other than by the competent authority in the case of a request for a duplicate, shall be prohibited.</p>	
<p><i>Article 14</i> <i>Periodic checks</i> 1. In order to keep the licence and the harmonised certificate, holders shall undergo periodic examinations and/or tests relating to the conditions referred to in Articles 9 and 11. The following minimum frequency shall be observed: (a) medical examinations (physical and mental fitness): every three years up to the age of 60, thereafter every year; (b) line knowledge: to be determined by the competent authority of the Member State concerned; (c) knowledge of rolling stock: to be determined by the railway undertaking employing the driver in accordance with its own safety management system. For each of these checks the railway undertaking shall affirm by a statement in the harmonised certificate and in the register provided for in Article 20 that the driver has met these requirements. 2. Without prejudice to the periodic checks required in paragraph 1, railway undertakings and infrastructure managers shall set up a system for monitoring their drivers. If the results of such monitoring call into question a driver's fitness for the job and the continuation of the licence or the harmonised certificate, the employer shall take the necessary action immediately. If necessary it shall ask the competent authority to withdraw the licence.</p>	<p><i>Article 14</i> <i>Periodic checks</i> 1. In order to keep the licence and the harmonised certificate, holders shall undergo periodic examinations and/or tests relating to the conditions referred to in Articles 9 and 11. The following minimum frequency shall be observed: (a) medical examinations (physical and mental fitness): every three years up to the age of 60, thereafter every year; (b) infrastructure knowledge (including route and operation rules knowledge): to be determined by the competent authority of the Member State concerned; (c) knowledge of rolling stock: to be determined by the railway undertaking employing the driver in accordance with its own safety management system. For each of these checks the railway undertaking shall affirm by a statement in the harmonized certificate and in the register provided for in Article 20 that the driver has met these requirements. 2. Without prejudice to the periodic checks required in paragraph 1, railway undertakings and infrastructure managers shall set up a system for monitoring their drivers. If the results of such monitoring call into question a driver's fitness for the job and the continuation of the licence or the harmonized certificate, the employer shall take the necessary action immediately. If necessary it shall ask the competent authority to withdraw the licence.</p>

Justification

There should be an obligation to carry out checks on the driver's knowledge of all safety critical requirements related to the infrastructure, not just the route knowledge.

Article 15

Cessation of employment

When a driver ceases to be employed by a railway undertaking, it shall inform the competent authority without delay. The licence shall remain valid without prejudice to Article 14. The harmonised complementary certificate shall become invalid on cessation of employment.

Article 15

Cessation of employment

When a driver ceases to be employed by a railway undertaking, it shall inform the competent authority without delay. The licence shall remain valid without prejudice to Article 14. The harmonised complementary certificate shall become invalid on cessation of employment. **The driver shall, however, on cessation of employment be entitled to an attestation describing the competences and authorisations acquired during his or her employment.**

Justification

Even if the harmonized complementary certificate is linked to the railway undertaking the driver should be able to show to a possible new employer the competences he has acquired, in order to make it possible for the new employer to assess the driver's competence and possible need for additional training.

Article 16

Amendments and withdrawals

1. If there is any change in a driver's state of health likely to call into question their fitness for the job and the continuation of their licence or harmonised complementary certificate, the employer or the driver, as appropriate, shall inform the competent authority without delay

2. If the competent authority finds that a driver no longer satisfies one or more required conditions, it shall immediately withdraw the licence and, where appropriate, the harmonised complementary certificate. It shall immediately inform the party concerned and their employer of its reasoned decision, without prejudice to the right of appeal provided for in Article 19. The suspension shall be temporary or permanent depending

<p>on the scale of the problems created for rail safety. The competent authority shall update the register provided for in Article 20.</p> <p>3. Member States shall take all the necessary steps to avoid the risks of falsification of certificates and tampering with the register provided for in Article 20. Employers shall be required to ensure and to check that the licences and complementary certificates of their drivers in service are valid.</p>	
<p>Chapitre V Tasks and decisions of the competent authority</p>	
<p><i>Article 17</i> <i>Tasks of the competent authority</i></p> <p>1. The competent authority shall fulfil its tasks in a transparent and non-discriminatory manner. It shall respond quickly to requests for information and present any requests for additional information without delay during the preparation of the licences.</p> <p>2. The competent authority may delegate or subcontract the tasks referred to in paragraph 4 to third parties provided that such tasks can be carried out by the authorised representative or subcontractor without any conflict of interest. Tasks shall be delegated in a transparent and non-discriminatory manner.</p> <p>3. When the competent authority delegates or subcontracts tasks to a railway undertaking, at least one of the following two conditions shall be complied with:</p> <p>(a) the railway undertaking shall issue licences only to its own drivers;</p> <p>(b) the railway undertaking shall not enjoy exclusivity in the territory concerned for any of the delegated or subcontracted tasks.</p> <p>4. The tasks referred to in (a) to (e) may be delegated subject to the conditions attached to them:</p> <p>– (a) the testing of physical and mental fitness shall be carried out by medical</p>	<p><i>Article 17</i> <i>Tasks of the competent authority</i></p> <p>1. The competent authority shall fulfil its tasks in a transparent and non-discriminatory manner. It shall respond quickly to requests for information and present any requests for additional information without delay during the preparation of the licences.</p> <p>2. The competent authority may delegate or subcontract the tasks referred to in paragraph 4 to third parties provided that such tasks can be carried out by the authorised representative or subcontractor without any conflict of interest. Tasks shall be delegated in a transparent and non-discriminatory manner.</p> <p>3. When the competent authority delegates or subcontracts tasks to a railway undertaking, at least one of the following two conditions shall be complied with:</p> <p>(a) the railway undertaking shall issue licences only to its own drivers;</p> <p>(b) the railway undertaking shall not enjoy exclusivity in the territory concerned for any of the delegated or subcontracted tasks.</p> <p>4. The tasks referred to in (a) to (e) may be delegated subject to the conditions attached to them:</p> <p>– (a) the testing of physical and mental fitness shall be carried out by medical</p>

<p>doctors or occupational health institutes accredited by the competent authority;</p> <p>– (b) the testing of psychological fitness shall be carried out by psychologists or occupational psychology institutes accredited by the competent authority;</p> <p>– (c) the testing of general professional knowledge shall be carried out by institutes or examiners accredited by the competent authority;</p> <p>– (d) the granting of new licences and the updating of licences may be delegated to third parties accredited by the competent authority;</p> <p>– (e) the tasks relating to the keeping of the register referred to in Article 20 may be delegated to third parties appointed by the competent authority.</p> <p>5. When a competent authority delegates or subcontracts tasks, the authorised representative or subcontractor shall be required, in performing such tasks, to comply with the obligations imposed on the competent authorities by this Directive.</p> <p>6. When a competent authority delegates or subcontracts tasks, it shall set up a system for checking whether these tasks have been carried out, which will enable it to make sure that the conditions laid down in paragraphs 2 and 3 are being complied with.</p> <p>7. The testing of professional knowledge relating to the rolling stock and infrastructures shall be carried out by the railway undertaking.</p>	<p>doctors or occupational health institutes recognised by the competent authority;</p> <p>– (b) the testing of psychological fitness shall be carried out by psychologists or occupational psychology institutes recognised by the competent authority;</p> <p>– (c) the testing of general professional knowledge shall be carried out by institutes or examiners recognised by the competent authority;</p> <p>– (d) the granting of new licences and the updating of licences may be delegated to third parties recognised by the competent authority;</p> <p>– (e) the tasks relating to the keeping of the register referred to in Article 20 may be delegated to third parties appointed by the competent authority.</p> <p>5. When a competent authority delegates or subcontracts tasks, the authorised representative or subcontractor shall be required, in performing such tasks, to comply with the obligations imposed on the competent authorities by this Directive.</p> <p>6. When a competent authority delegates or subcontracts tasks, it shall set up a system for checking whether these tasks have been carried out, which will enable it to make sure that the conditions laid down in paragraphs 2 and 3 are being complied with.</p> <p>7. The testing of professional knowledge relating to the rolling stock and infrastructures shall be carried out by the railway undertaking.</p>
<p><i>Justification</i></p> <p><i>It should be left to the decision of the competent authority to judge whether a formal accreditation procedure must apply to the recognition of bodies to which tasks according to this article have been delegated. It is not normally necessary that for example medical institutes that are subject to supervision of medical authorities should undergo a separate accreditation procedure. See also amendment to Article 18.</i></p>	



<p><i>Article 18</i> <i>Accreditation</i> Tasks may be delegated under Article 17 only to persons or bodies already accredited by the competent authority or by an accreditation body appointed by the Member State. The accreditation process shall be based on the relevant EN 45000 series European standards and on the evaluation of a dossier submitted by candidates which provides appropriate evidence of their skills in the area in question. The competent authority shall publish and update a register of persons and bodies accredited under this Directive.</p>	<p><i>Article 18</i> <i>Accreditation</i> Whenever the delegation or subcontracting of a task under Article 17 to a person or body is combined with an accreditation obligation the accreditation shall be carried out by an accreditation body appointed by the Member State. The accreditation process shall be based on the relevant EN 45000 series European standards and on the evaluation of a dossier submitted by candidates which provides appropriate evidence of their skills in the area in question. The competent authority shall publish and update a register of persons and bodies accredited or recognised under this Directive.</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>To separate accreditation from other forms of recognition the accreditation should be carried out by the body in the Member State that is normally competent in the field of EN 45000 accreditations. Irrespective of the form of recognition the competent authority should publish the list of all recognized bodies.</i></p>	
<p><i>Article 19</i> <i>Decisions of the competent authority</i> 1. The competent authority shall state the reasons for its decisions. 2. The competent authority shall set up an administrative appeals procedure allowing employers and drivers to request a review of a decision relating to any application as referred to in Article 12 or any withdrawal as referred to in Article 16(2). 3. Member States shall take the necessary steps to ensure juridical control of the decisions taken by a competent authority.</p>	
<p><i>Article 20</i> <i>Registers and exchange of information</i> 1. The competent authorities shall be required to: (a) keep a register of all licences issued, expiring, amended, suspended, cancelled or reported lost or destroyed. This register shall contain the particulars of every licence,</p>	<p><i>Article 20</i> <i>Registers and exchange of information</i> 1. The competent authorities shall be required to: (a) keep a register of all licences issued, expiring, amended, suspended, cancelled or reported lost or destroyed. This register shall contain the particulars of every licence,</p>

which can be called up using the national number allotted to each driver. It shall be regularly updated;

(b) supply information on the status of such licences to the competent authorities of the other Member States, the Agency or any employer of drivers who wishes to know or to check certain particulars during a recruitment procedure.

2. The railway undertakings shall be required to:

(a) keep a register of all harmonised complementary certificates issued, expiring, amended, suspended, cancelled or reported lost or destroyed. This register shall contain the particulars of every certificate, as well as the particulars relating to the periodic checks provided for in Article 14. It shall be regularly updated;

(b) cooperate with the competent authority of the State where they are domiciled in order to interconnect its register with that of the competent authority so as to give it **immediate** access to the particulars required;

(c) supply information on the status of such certificates to the competent authorities of the other Member States.

3. The competent authorities shall cooperate with the Agency in order to ensure the interoperability of the registers. To this end the Commission shall adopt, according to the procedure referred to in Article 30(2), and on the basis of a draft prepared by the Agency, the basic parameters of the registers to be set up, such as the particulars to be recorded, their format and the data exchange protocol.

4. The competent authorities shall make sure that the registers which they set up under paragraph 1 and the modes of operation of such registers comply with Directive 95/46/EC.

5. The Agency shall make sure that the system set up under paragraph 2(a) and (b) complies with Regulation (EC) No 45/2001.

which can be called up using the national number allotted to each driver. It shall be regularly updated;

(b) supply information on the status of such licences to the competent authorities of the other Member States, the Agency or any employer of drivers who wishes to know or to check certain particulars during a recruitment procedure.

2. The railway undertakings shall be required to:

(a) keep a register of all harmonised complementary certificates issued, expiring, amended, suspended, cancelled or reported lost or destroyed. This register shall contain the particulars of every certificate, as well as the particulars relating to the periodic checks provided for in Article 14. It shall be regularly updated;

(b) cooperate with the competent authority of the State where they are domiciled in order to interconnect its register with that of the competent authority so as to give it /---/ access to the particulars required;

(c) supply information on the status of such certificates to the competent authorities of the other Member States.

The railway undertaking can choose to delegate the keeping of a register and associated tasks to a competent third party.

3. The competent authorities shall cooperate with the Agency in order to ensure the interoperability of the registers. To this end the Commission shall adopt, according to the procedure referred to in Article 30(2), and on the basis of a draft prepared by the Agency, the basic parameters of the registers to be set up, such as the particulars to be recorded, their format and the data exchange protocol.

4. The competent authorities shall make sure that the registers which they set up under paragraph 1 and the modes of operation of such registers comply with Directive 95/46/EC.



	<p>5. The Agency shall make sure that the system set up under paragraph 2(a) and (b) complies with Regulation (EC) No 45/2001.</p>
--	--

Justification

The requirement to let the competent authority have immediate access to the register of harmonized certificates may be onerous for small and medium-sized companies that might employ only a few drivers. Other solutions than on-line access should be allowed. It should also be allowed for railway undertakings to delegate the keeping of the register to third parties, for example their trade organization or a training institute.

--	--

**Chapter VI
Training of drivers**

<p><i>Article 21 Training</i></p> <p>1. The procedure to be followed with a view to obtaining the licence provided for in Article 12(1) shall include the training programme needed to comply with the professional qualification requirements referred to in Article 11.</p> <p>The objectives of this training are defined in Annex V. They may be supplemented:</p> <p>a) either by the relevant technical specifications for interoperability;</p> <p>b) or by the criteria proposed by the Agency pursuant to Article 17 of Regulation (EC) No .../2004 and adopted by the Commission in accordance with the procedure referred to in Article 30(2).</p> <p>2. The procedure to be followed to obtain the harmonised certificate is specific to each railway undertaking. The objectives of the training programme are set out in Article 11 and, more particularly, in Annexes VI and VII.</p> <p>3. Pursuant to Article [13] of Directive 2004/xxx/EC [on rail safety], Member States</p>	<p><i>Article 21 Training</i></p> <p>1. The procedure to be followed with a view to obtaining the licence provided for in Article 12(1) shall include the training programme needed to comply with the professional qualification requirements referred to in Article 11.</p> <p>The objectives of this training are defined in Annex V. They may be supplemented:</p> <p>a) either by the relevant technical specifications for interoperability;</p> <p>b) or by the criteria proposed by the Agency pursuant to Article 17 of Regulation (EC) No .../2004 and adopted by the Commission in accordance with the procedure referred to in Article 30(2).</p> <p>2. The procedure to be followed to obtain the harmonised certificate is specific to each railway undertaking. The objectives of the training programme are set out in Article 11 and, more particularly, in Annexes VI and VII.</p> <p>3. Pursuant to Article [13] of Directive 2004/xxx/EC [on rail safety], Member States</p>
--	--



<p>shall take steps to ensure that drivers have fair and non-discriminatory access to the training needed to fulfil the conditions for obtaining the licence and the complementary harmonised certificate.</p>	<p>shall take steps to ensure that drivers have fair and non-discriminatory access to the training needed to fulfil the conditions for obtaining the licence and the complementary harmonised certificate. The charging regime for this training should be fair and non-discriminatory.</p>
<p><i>Justification</i></p> <p><i>The reference to Article 13 of Directive 2004/49 might be incomplete if the reference to the charging regime is excluded.</i></p>	
<p><i>Article 22</i> <i>Examinations</i> The examinations and examiners intended for the purpose of checking the requisite professional qualifications shall be determined when laying down the procedure to be followed to obtain the licence provided for in Article 12(1) and the harmonised complementary certificate. These examinations shall be overseen by selection boards made up of competent examiners accredited by the competent authority; they shall be organised in such a way as to avoid any conflict of interest. The choice of examiners and examinations shall be governed by Community criteria proposed by the Agency and adopted by the Commission under the procedure laid down in Article 30(2). In the absence of such Community criteria, the competent authorities shall establish national criteria.</p>	<p><i>Article 22</i> <i>Examinations</i> The examinations and examiners intended for the purpose of checking the requisite professional qualifications shall be determined when laying down the procedure to be followed to obtain the licence provided for in Article 12(1) and the harmonised complementary certificate. These examinations shall be overseen by /---/ competent examiners recognised by the competent authority; they shall be organised in such a way as to avoid any conflict of interest. The choice of examiners and examinations may be subject to Community criteria proposed by the Agency and adopted by the Commission under the procedure laid down in Article 30(2). In the absence of such Community criteria, the competent authorities shall establish national criteria.</p>
<p><i>Justification</i></p>	

It should be left to the discretion of the competent authorities to judge whether selection boards are necessary or whether it is sufficient with one or more examiners. If the authority defines criteria for the selection of examiners a formal accreditation may not always be necessary. The obligation to define Community criteria should not be mandatory but subject to an evaluation of the real need.

Chapter VII Assessment

Article 23

Quality standards

The competent authorities shall ensure that all tasks associated with training, assessment of skills, updating of licences and complementary certificates are the subject of continuous monitoring under a quality standards system designed to guarantee the achievement of the objectives set out in this Directive with regard to basic requirements and professional qualifications.

Article 23

Quality standards

The competent authorities shall ensure that all tasks associated with training, assessment of skills, updating of licences and complementary certificates are the subject of continuous monitoring under a quality standards system designed to guarantee the achievement of the objectives set out in this Directive with regard to basic requirements and professional qualifications.

The competent authorities shall work with railway undertakings to ensure that the examiners are kept up to date with the latest developments in driver practices and have regular practical driving experience.

Justification

The practical competence of examiners is the most important part of the process to ensure that quality standards are upheld.

Article 24

Independent assessment

1. An independent assessment of the procedures for the acquisition and assessment of knowledge, understanding, skills and competence, and of the system for the issuing of licences and harmonised complementary certificates, shall be carried out in each Member State at intervals of not more than five years. The assessment shall be carried out by qualified persons who are not themselves involved in the activities concerned.

2. The results of these independent assessments shall be duly documented and

<p>brought to the attention of the competent authorities concerned. If need be, Member States shall take appropriate measures to remedy any shortcomings brought to light by the independent assessment.</p>	
<p>Chapter VIII Certification of other staff</p>	<p>Delete</p>
<p><i>Article 25</i> <i>Provisions applicable to other staff</i> Apart from the driver, any staff member present on board the locomotive or train and indirectly involved in driving the locomotive or train shall be in possession of a certificate issued by the competent authority in accordance with the provisions of this Article. Articles 4 to 24 shall apply <i>mutatis mutandis</i> to the abovementioned staff, except with regard to the criteria to be met regarding training, basic skills and professional qualifications. These criteria shall be laid down: – either through the relevant TSIs; – or through the criteria proposed by the Agency in the framework of Article 17 of Regulation (EC) No .../2004 and successively adopted by the Commission in accordance with the procedure described in Article 30(2). In the absence of such Community rules, the competent authority shall establish and publish the minimum requirements to be met.</p>	<p>Delete</p>
<p><i>Justification</i></p> <p><i>There is no sufficient definition of the staff covered by this Article, neither are there any requirements on that staff defined. A staged approach to the application of this directive would benefit from the exclusion of other staff than train drivers from the scope of the directive. Once the effects have been evaluated other staff might be brought under the Directive after a proposal from the Commission. This would bring greater legal certainty and would allow the European Parliament to scrutinize the exact scope of the directive.</i></p>	
<p>Chapter IX Inspections and penalties</p>	

Article 26

State controls

1. The competent authority may at any time take steps to verify, on board trains operating in its area of jurisdiction, that the driving personnel are in possession of the documents issued pursuant to this Directive.
2. Notwithstanding verification as provided for in paragraph 1, drivers may be required to demonstrate their competence in the event of negligence at the workplace. Such a demonstration may consist, in the main, in verifying compliance with the requirements set out in Article 11(3) and (4).
3. The competent authority may carry out administrative enquiries regarding compliance with this Directive by drivers, railway undertakings, **infrastructure managers**, assessors and training centres pursuing their activities in their areas of jurisdiction.
4. If a competent authority considers that a licence issued by a competent authority in another Member State fails to comply with the relevant criteria, it may approach that authority and request either that a further inspection be carried out or that the licence be withdrawn. The authority that issued the licence in question shall undertake to examine the request within three weeks and to notify the other authority of its decision.
5. If a competent authority considers that a complementary certificate fails to comply with the relevant criteria, it may approach the railway undertaking and request either that a further inspection be carried out or that the complementary certificate be withdrawn .
6. If a Member State considers that a decision taken by a competent authority in another Member State pursuant to paragraph 4 fails to comply with the relevant criteria, the matter shall be referred to the Commission which shall deliver its opinion within three months. If necessary, corrective measures shall be proposed to the Member State concerned. In the event of disagreement

Article 26

State controls

1. The competent authority may at any time take steps to verify, on board trains operating in its area of jurisdiction, that the driving personnel are in possession of the documents issued pursuant to this Directive.
2. Notwithstanding verification as provided for in paragraph 1, drivers may be required to demonstrate their competence in the event of negligence at the workplace. Such a demonstration may consist, in the main, in verifying compliance with the requirements set out in Article 11(3) and (4).
3. The competent authority may carry out administrative enquiries regarding compliance with this Directive by drivers, railway undertakings, /---/ assessors and training centres pursuing their activities in their areas of jurisdiction.
4. If a competent authority considers that a licence issued by a competent authority in another Member State fails to comply with the relevant criteria, it may approach that authority and request either that a further inspection be carried out or that the licence be withdrawn. The authority that issued the licence in question shall undertake to examine the request within three weeks and to notify the other authority of its decision.
5. If a competent authority considers that a complementary certificate fails to comply with the relevant criteria, it may approach the railway undertaking and request either that a further inspection be carried out or that the complementary certificate be withdrawn .
6. If a Member State considers that a decision taken by a competent authority in another Member State pursuant to paragraph 4 fails to comply with the relevant criteria, the matter shall be referred to the Commission which shall deliver its opinion within three months. If necessary, corrective measures shall be proposed to the Member State concerned. In the event of disagreement or dispute, the matter shall be referred to the



<p>or dispute, the matter shall be referred to the Committee mentioned in Article 30(1), and the Commission shall take whatever measures are necessary in accordance with the procedure set out in Article 30(2).</p>	<p>Committee mentioned in Article 30(1), and the Commission shall take whatever measures are necessary in accordance with the procedure set out in Article 30(2).</p>
<p><i>Justification</i></p> <p><i>See amendment no...</i></p>	
<p><i>Article 27</i> <i>Penalties</i> The Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate, non-discriminatory and dissuasive. The Member States shall notify the Commission of those provisions by the date specified in Article 33 at the latest and shall notify it without delay of any subsequent amendment affecting them.</p>	
<p>Chapter X Final provisions</p>	
<p><i>Article 28</i> <i>Derogations</i> Member States may exclude from the measures they adopt in implementation of this Directive:</p> <ul style="list-style-type: none"> a) metros, trams and other light rail systems; b) networks that are operationally separate from the rest of the rail system and are intended only for the operation of local, urban or suburban passenger services and undertakings operating solely on those networks; c) privately owned railway infrastructure that exists solely for use by the infrastructure owners for their own freight operations. 	

<p><i>Article 29</i> <i>Amendments to the annexes</i> The Annexes shall be adapted to scientific and technical progress, in accordance with the procedure referred to in Article 30(2).</p>	
<p><i>Article 30</i> <i>Committee</i> 1. The Commission shall be assisted by the Committee set up by Article 21 of Directive 96/48/EEC. 2. Where reference is made to this paragraph, the regulatory procedure laid down in Articles 5 and 7 of Decision 1999/468/EC shall apply, in compliance with Article 8 thereof. The period provided for in Article 5(6) of Decision 1999/468/EC shall be three months. 3. The Committee shall adopt its rules of procedure.</p>	
<p><i>Article 31</i> <i>Report</i> The Agency shall evaluate the development of the certification of train drivers in accordance with this Directive. It shall submit to the Commission, not later than 1 January 2010, a report containing, where appropriate, improvements to be made to the system as regards the procedures for issuing licences and harmonised complementary certificates, the accreditation of training centres and assessors, the quality system put in place by the competent authorities, the mutual recognition of certificates and mobility in the employment market. The Commission shall take appropriate measures on the basis of these recommendations and shall propose, if necessary, changes to this Directive.</p>	<p><i>Article 31</i> <i>Report</i> The Agency shall evaluate the development of the certification of train drivers in accordance with this Directive. It shall submit to the Commission, not later than 1 January 2010, a report containing, where appropriate, recommendations on improvements to be made to the system as regards the formats of licences and harmonized complementary certificates, the procedures for issuing licences and harmonised complementary certificates, the accreditation of training centres and assessors, the quality system put in place by the competent authorities, the mutual recognition of certificates and mobility in the employment market. It shall assess the benefits of extending the scope of the Directive to other categories of drivers and train staff and make recommendations in this respect. The Commission shall take appropriate measures on the basis of the recommendations and shall propose, if necessary, changes to this Directive.</p>



<i>Justification</i>	
<i>As a consequence of the limitation of the scope of the directive the Agency should evaluate the possibilities of extending it to the categories included in the Commission's draft. The evaluation should include the formats used for the licences and harmonized complementary certificates with the possibility to propose their integration by the means of a smartcard as specified in Article 34.</i>	
<p><i>Article 32</i> <i>Cooperation</i> Member States shall assist one another in the implementation of this Directive.</p>	<p><i>Article 32</i> <i>Cooperation</i> Member States shall assist one another in the implementation of this Directive. The Agency shall support this cooperation and organize appropriate meetings with representatives of the competent authorities.</p>
<i>Justification</i>	
<i>The cooperation between Member States should be organized in a formal way and the appropriate body for this is the Agency.</i>	
<p><i>Article 33</i> <i>Transposition</i> 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [...]31 at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made. 2. Member States shall communicate to the Commission the text of the essential provisions of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.</p> <p><small>31 Twenty-four months following the date of entry into force.</small></p>	

Article 34

Gradual phasing-in

1. This Directive shall be phased in gradually in stages as indicated below.

a) During the first stage (2006-2008), Member States shall transpose this Directive into national law. The registers mentioned in Article 20 shall be set up.

b) During the second stage (2008-2010), an initial group of drivers shall be certified in accordance with this Directive; the group in question shall consist of drivers **assigned to cross-border services**. At the end of this stage, the report produced by the Agency pursuant to Article 31 shall form the basis for a preliminary assessment.

c) The third stage (2010-2015) shall involve the certification of the other drivers **and other staff**.

2. A transition period shall be defined as the period commencing on the date of entry into force of this Directive and ending two years following the Decision on the basic parameters contained in the registers, as provided for in Article 20. During the transition period, Member States may certify drivers in accordance with the provisions which applied prior to the entry into force of this Directive in the case of drivers who were working in their profession or who started an approved education and training programme or an approved training course prior to the entry into force of this Directive.

3. Member States shall replace, before 2015, all certificates issued prior to the entry into force of this Directive and during the above transition period by licences and harmonised complementary certificates in conformity with this Directive.

4. All drivers duly certified in accordance with the provisions which applied prior to the entry into force of this Directive may continue to pursue their professional activities until 2010 **in the case of cross-border services**, and until 2015 **in other cases**. This Directive does not confer any

Article 34

Gradual phasing-in

1. This Directive shall be phased in gradually in stages as indicated below.

a) During the first stage (2006-2008), Member States shall transpose this Directive into national law. The registers mentioned in Article 20 shall be set up.

b) During the second stage (2008-2010), an initial group of drivers shall be certified in accordance with this Directive; the group in question shall consist of drivers **employed by railway undertakings holding two or more safety certificates**. At the end of this stage, the report produced by the Agency pursuant to Article 31 shall form the basis for a preliminary assessment.

c) The third stage (2010-2015) shall involve the certification of the other **train** drivers/--/. **Following the report by the Agency the Commission shall decide according to the procedure laid down in Article 30(2) whether the application of this Directive shall include other drivers or not.**

2. A transition period shall be defined as the period commencing on the date of entry into force of this Directive and ending two years following the Decision on the basic parameters contained in the registers, as provided for in Article 20. During the transition period, Member States may certify drivers in accordance with the provisions which applied prior to the entry into force of this Directive in the case of drivers who were working in their profession or who started an approved education and training programme or an approved training course prior to the entry into force of this Directive.

3. Member States shall replace, before 2015, all certificates issued prior to the entry into force of this Directive and during the above transition period by licences and harmonised complementary certificates in conformity with this Directive.

4. All drivers, **employed by railway undertakings holding two or more safety**



<p>mutual recognition rights on the relevant certificates, albeit without prejudice to the general mutual recognition scheme set up under Directive 92/51 which shall continue to apply until the end of the transition period.</p> <p>5. During the second stage, the Agency shall examine the possibility of using a smartcard instead of the licence and harmonised complementary certificate provided for in Article 4. Such a smartcard would have the advantage of combining these two items in one and at the same time could be used for other applications either in the area of security or for driver management purposes. Where appropriate, the Commission shall adopt, in accordance with the procedure set out in Article 30(2) and on the basis of a draft prepared by the Agency, the technical and operating specifications for such a smartcard.</p>	<p>certificates, and duly certified in accordance with the provisions which applied prior to the entry into force of this Directive may continue to pursue their professional activities until 2010 /---/, and, concerning all other drivers, until 2015 /---/. This Directive does not confer any mutual recognition rights on the relevant certificates, albeit without prejudice to the general mutual recognition scheme set up under Directive 92/51 which shall continue to apply until the end of the transition period.</p> <p>/---/</p>
<p><i>Justification</i></p> <p><i>The reference to drivers in cross-border service is difficult to apply in practice. A railway undertaking that carries out cross-border services needs to have a safety certificate for each territory on which its trains run. It will be difficult to separate drivers within the railway undertaking from each other and it seems more appropriate to apply the same licence regime to all drivers of those railway undertakings. This would also give the Agency a sufficient number of licensed drivers to make it able to carry out its assessment and make the necessary recommendations. The application of the Directive to other drivers should be conditioned by a Commission Decision following the report by the Agency.</i></p> <p><i>The possible design of a smartcard should be part of the evaluation made by the Agency according to Article 31 and included in its report. If the smartcard concept is accepted it could be introduced by means of changes to the Annexes following the procedure of Article 30(2).</i></p>	
<p><i>Article 35</i></p> <p>This Directive shall enter in force on the day following that of its publication in the Official Journal of the European Communities.</p>	

<p><i>Article 36</i> This Directive is addressed to the Member States. Done at Brussels, <i>For the European Parliament For the Council</i> <i>The President The President</i></p>	
<p>ANNEX I COMMUNITY MODEL LICENCE AND COMPLEMENTARY CERTIFICATE</p>	
<p>1. CHARACTERISTICS OF THE LICENCE The physical characteristics of the train driver's licence must be in conformity with ISO standards 7810 and 7816-1. The methods for verifying the characteristics of the driving licences to ensure that they are consistent with international standards must comply with ISO standard 10373.</p>	
<p>2. CONTENTS OF THE LICENCE The front of the licence shall contain: a) the words "Train driver's licence" printed in large type in the language or languages of the Member State issuing the licence; b) the name of the Member State issuing the licence (optional); c) the distinguishing sign of the Member State issuing the licence in accordance with the country's ISO 3166 code, printed in negative in a blue rectangle and encircled by 12 yellow stars; d) information specific to the certificate issued, numbered as follows: 1. the surname of the holder; 2. other name(s) of the holder; 3. the date and place of birth of the holder; 4. a. the date of issue of the licence; 4. a. the date of expiry of the licence; 4. c. the name of the issuing authority; 5. the number of the certificate giving access to data in the national register; 6. a photograph of the holder; 7. the signature of the holder; 8. the permanent place of residence or postal</p>	<p>2. CONTENTS OF THE LICENCE The front of the licence shall contain: a) the words "Train driver's licence" printed in large type in the language or languages of the Member State issuing the licence; b) the name of the Member State issuing the licence (optional); c) the distinguishing sign of the Member State issuing the licence in accordance with the country's ISO 3166 code, printed in negative in a blue rectangle and encircled by 12 yellow stars; d) information specific to the certificate issued, numbered as follows: 1. the surname of the holder; 2. other name(s) of the holder; 3. the date and place of birth of the holder; 4. a. the date of issue of the licence; 4. a. the date of expiry of the licence; 4. c. the name of the issuing authority; 5. the number of the certificate giving access to data in the national register; 6. a photograph of the holder; 7. the signature of the holder; 8. the permanent place of residence or postal</p>



<p>address of the holder (optional); e) the words “European Communities model” in the language or languages of the Member State issuing the licence and the words “Train driving licence” in the other languages of the Community, printed in yellow to form the background of the licence; f) the reference colours: - blue: Pantone Reflex blue, - yellow: Pantone yellow.</p>	<p>address of the holder (optional); e) the words “European Communities model” in the language or languages of the Member State issuing the licence and the words “Train driving licence” in the other languages of the Community, printed in yellow to form the background of the licence; f) the reference colours: - blue: Pantone Reflex blue, - yellow: Pantone yellow. g) restrictions for use</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>It should be possible for the competent authority to impose conditions or restrictions when issuing the licence. This could for example be related to the obligation that a licence holder wears glasses.</i></p>	
<p>3. HARMONISED COMPLEMENTARY CERTIFICATE The harmonised complementary certificate shall contain: 9. the name and address of the railway undertakings for which the driver is authorised to drive trains; 10. the categories in which the holder is entitled to drive; 11. the type of rolling stock which the holder is authorised to drive; 12. the infrastructure on which the holder is authorised to drive; 13. any additional information or restrictions.</p>	



<p>4. DATA CONTAINED IN NATIONAL REGISTERS</p> <p>a) Data relating to the licence:</p> <p>14. Data relating to checking the requirements set out in Article 8;</p> <p>15. Data relating to checking the requirements set out in Article 9;</p> <p>16. Data relating to checking the requirements set out in Article 10;</p> <p>17. Data relating to checking the requirements set out in Article 11(1) and (2);</p> <p>18. Data relating to periodic checks – Article 14.</p> <p>b) Data relating to the harmonised complementary certificate:</p> <p>19. Data relating to the railway undertaking (authorised rolling stock – Article 11(3), authorised services, training relating to the safety management system);</p> <p>20. Data relating to checking the requirements set out in Article 11(4): authorized infrastructure (refer to the register of infrastructure provided for in Article 24 of Directives 96/48/EC and 2001/16/EC);</p> <p>21. Data relating to periodic checks – Article 14.</p>	
<p>ANNEX II</p> <p>Duties of train drivers</p> <p>1. Before departure, carrying out the prescribed checks in particular in relation to the functioning and load capacity of the vehicle.</p> <p>2. Helping to check the effectiveness of the brakes.</p> <p>3. Driving locomotives in a proper and safe manner with due regard to signals, speed limits and schedules.</p> <p>4. Operating the safety deadman circuit and the train controlling system, and observing and operating instruments.</p> <p>5. Recognising and identifying technical and operational faults and unusual incidents in good time, and, when required, inspecting carriages and wagons for damage and defects, protecting the train and summoning assistance.</p>	<p>Delete</p>

<p>6. Rectifying minor faults and taking steps to initiate repair work in the event of more serious faults to vehicles.</p> <p>7. Shunting the train safely.</p> <p>8. Dealing with routine records and submitting concise written, oral or computerized reports on unusual incidents.</p>	
<p><i>Justification</i></p> <p><i>See amendment no... Article 2. The list of duties is not complete and does not add anything to the content of the directive. It could create a dangerous assumption that it is exhaustive.</i></p>	
<p>ANNEX III BASIC REQUIREMENTS</p>	
<p>1. QUALIFICATIONS</p> <ul style="list-style-type: none"> – at least nine years’ secondary education, followed by two to three years’ postsecondary education in technical professions or in an apprenticeship or in commercial professions. – or: at least 12 years’ education. 	
<p>2. MINIMUM CONTENT OF THE EXAMINATION BEFORE APPOINTMENT</p> <p>2.1 Medical examinations</p> <ul style="list-style-type: none"> – a general medical examination; – examinations of sensory functions (vision, hearing, colour perception); – blood or urine tests to detect diabetes mellitus and other conditions as indicated by the clinical examination; – an ECG at rest; – tests for illegal drugs. <p>2.2 Psychological examinations</p> <p>The purpose of the psychological examinations is to assist the railway undertaking in the appointment and management of staff who have the cognitive, psychomotor, behavioural and personality skills to perform their duties safely. In determining the content of the psychological examination, the psychologist must, as a minimum, take into account the</p>	<p>2. MINIMUM CONTENT OF THE EXAMINATION BEFORE APPOINTMENT</p> <p>2.1 Medical examinations</p> <ul style="list-style-type: none"> – a general medical examination; – examinations of sensory functions (vision, hearing, colour perception); – blood or urine tests to detect diabetes mellitus and other conditions as indicated by the clinical examination; – an ECG at rest; – tests for /---/ drugs calling into question the fitness for the job. <p>2.2 Psychological examinations</p> <p>The purpose of the psychological examinations is to assist the railway undertaking in the appointment and management of staff who have the cognitive, psychomotor, behavioural and personality skills to perform their duties safely. In determining the content of the psychological examination, the psychologist</p>

<p>following criteria which are relevant to the requirements of each safety function:</p> <ul style="list-style-type: none"> – Cognitive: attention and concentration; memory; perception; reasoning; communication; – Psychomotor: reaction time, hand coordination; – Behavioural and personality: emotional self-control, behavioural reliability, autonomy, conscientiousness. <p>If the psychologist omits any of the above criteria, this decision must be justified and documented.</p>	<p>must, as a minimum, take into account the following criteria which are relevant to the requirements of each safety function:</p> <ul style="list-style-type: none"> – Cognitive: attention and concentration; memory; perception; reasoning; communication; – Psychomotor: reaction time, hand coordination; – Behavioural and personality: emotional self-control, behavioural reliability, autonomy, conscientiousness. <p>If the psychologist omits any of the above criteria, this decision must be justified and documented.</p>
<p><i>Justification</i></p> <p><i>Drugs might impair the driver's consciousness or ability to drive even if they are legal. Furthermore, a drug might be legal on one Member State and illegal in another.</i></p>	
<p>3. PERIODIC EXAMINATIONS AFTER APPOINTMENT</p> <p>In addition to the frequency indicated in Article 14(1), the occupational physician must increase the frequency of examinations if the health of the member of staff so requires.</p> <p>3.1 Minimum content of the periodic medical examination after appointment</p> <p>If the worker complies with the criteria required for the examination which is carried out before appointment, the specialised periodic examinations must include as a minimum:</p> <ul style="list-style-type: none"> – a general medical examination; – an examination of sensory functions (vision, hearing, colour perception); – blood or urine tests to detect diabetes mellitus and other conditions as indicated by the clinical examination; – tests for illegal drugs where clinically indicated. <p>In addition, an ECG at rest is also required for train drivers over 40 years of age.</p> <p>3.2 Validation of physical fitness</p> <p>Physical fitness shall be checked regularly</p>	<p>3. PERIODIC EXAMINATIONS AFTER APPOINTMENT</p> <p>In addition to the frequency indicated in Article 14(1), the occupational physician must increase the frequency of examinations if the health of the member of staff so requires.</p> <p>3.1 Minimum content of the periodic medical examination after appointment</p> <p>If the worker complies with the criteria required for the examination which is carried out before appointment, the specialised periodic examinations must include as a minimum:</p> <ul style="list-style-type: none"> – a general medical examination; – an examination of sensory functions (vision, hearing, colour perception); – blood or urine tests to detect diabetes mellitus and other conditions as indicated by the clinical examination; – tests for /---/ drugs where clinically indicated. <p>In addition, an ECG at rest is also required for train drivers over 40 years of age.</p> <p>3.2 Validation of physical fitness</p> <p>Physical fitness shall be checked regularly</p>



<p>and after any occupational accident. The occupational physician or the medical service of the undertaking can decide to carry out an additional medical examination, particularly after a period of 30 days' sick leave. The employer can ask the physician to check the physical fitness of the driver if the employer had to withdraw the driver from service for safety reasons.</p> <p>At no time during their service must drivers be under the influence of any substance which is likely to affect their concentration, attention or behaviour.</p>	<p>and after any occupational accident. The occupational physician or the medical service of the undertaking can decide to carry out an additional medical examination, particularly after a period of 30 days' sick leave. The employer can ask the physician to check the physical fitness of the driver if the employer had to withdraw the driver from service for safety reasons.</p> <p>At no time during their service must drivers be under the influence of any substance which is likely to affect their concentration, attention or behaviour.</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>Tests for drugs, when clinically indicated, should be carried out also if it is a question of legal drugs that impair the ability to drive.</i></p>	

<p>4. MEDICAL REQUIREMENTS</p> <p>4.1 General requirements</p> <p>Staff must not be suffering from any medical conditions or be taking any medication which is likely to cause:</p> <ul style="list-style-type: none">– a sudden loss of consciousness;– a reduction in attention or concentration;– sudden incapacity;– a loss of balance or coordination;– significant limitation of mobility. <p>4.2 Vision</p> <p>The following requirements as regards vision must be complied with:</p> <ul style="list-style-type: none">– aided or unaided distance visual acuity: 0.8; minimum of 0.3 for the worst eye;– maximum corrective contact lenses: hypermetropia +5 / myopia –8. Derogations are authorised in exceptional cases and after having obtained the opinion of an eye specialist. The occupational physician then takes the decision;– near and intermediate vision: sufficient, whether aided or unaided;– contact lenses are authorised;– normal colour vision: use of a recognised test, such as Ishihara, as well as another recognised test if required;– field of vision: full;– vision for both eyes: effective;– binocular vision: effective;– sensitivity to contrasts: good; – no progressive eye diseases;– lens implants, keratotomies and keratectomies are allowed only on condition that they are checked on a yearly basis or at intervals set by the occupational physician. <p>4.3 Hearing requirements</p> <p>Sufficient hearing confirmed by an audiogram, i.e.:</p> <ul style="list-style-type: none">– hearing good enough to hold a phone conversation and to be able to hear warning sounds and radio messages. <p>The following values should be taken as guidelines:</p> <ul style="list-style-type: none">– the hearing deficiency must not be higher than 40 dB at 500 and 1 000 Hz;	<p>4. MEDICAL REQUIREMENTS</p> <p>4.1 General requirements</p> <p>Staff must not be suffering from any medical conditions or be taking any medication which is likely to cause:</p> <ul style="list-style-type: none">– a sudden loss of consciousness;– a reduction in attention or concentration;– sudden incapacity;– a loss of balance or coordination;– significant limitation of mobility. <p>4.2 Vision</p> <p>The following requirements as regards vision must be complied with:</p> <ul style="list-style-type: none">– aided or unaided distance visual acuity: 0.8; minimum of 0.3 for the worst eye;– maximum corrective contact lenses: hypermetropia +5 / myopia –8. Derogations are authorised in exceptional cases and after having obtained the opinion of an eye specialist. The occupational physician then takes the decision;– near and intermediate vision: sufficient, whether aided or unaided;– contact lenses are authorised;– normal colour vision: use of a recognised test, such as Ishihara, as well as another recognised test if required;– field of vision: full;– vision for both eyes: effective;– binocular vision: effective;– sensitivity to contrasts: good; – no progressive eye diseases;– lens implants, keratotomies and keratectomies are allowed only on condition that they are checked on a yearly basis or at intervals set by the occupational physician. <p>4.3 Hearing requirements</p> <p>Sufficient hearing confirmed by an audiogram, i.e.:</p> <ul style="list-style-type: none">– hearing good enough to hold a phone conversation and to be able to hear warning sounds and radio messages. <p>The following values should be taken as guidelines:</p> <ul style="list-style-type: none">– the hearing deficiency must not be higher than 40 dB at 500 and 1 000 Hz;
---	---

<p>– the hearing deficiency must not be higher than 45 dB at 2 000 Hz for the ear with the worst air conduction of sound.</p> <p>4.4 Pregnancy In the event of poor tolerance or a pathological condition, pregnancy must be considered to be a reason for the temporary exclusion of drivers. The occupational physician (as defined above) must ensure that the legal provisions protecting pregnant workers are applied.</p> <p>4.5 Special health criteria for drivers <i>4.5.1 Vision</i> – aided or unaided distance visual acuity: 1.2; at least 0.5 for the worst eye; – ability to withstand dazzle; – coloured contact lenses and photochromatic lenses are not allowed. UV filter lenses are allowed.</p> <p><i>4.5.2 Hearing and speaking requirements</i> – no anomaly of the vestibular system. – no chronic speech disorder (given the necessity to exchange messages loudly and clearly); – no use of hearing aids.</p> <p><i>4.5.3 Anthropometrics</i> The anthropometric measures of staff must be suitable for the safe use of the rolling stock. Drivers must not be required or allowed to operate particular types of rolling stock if their height, weight or other characteristics would make this unsafe.</p>	<p>– the hearing deficiency must not be higher than 45 dB at 2 000 Hz for the ear with the worst air conduction of sound.</p> <p>4.4 Pregnancy In the event of poor tolerance or a pathological condition, pregnancy must be considered to be a reason for the temporary exclusion of drivers. The occupational physician (as defined above) must ensure that the legal provisions protecting pregnant workers are applied.</p> <p>4.5 Special health criteria for drivers <i>4.5.1 Vision</i> – aided or unaided distance visual acuity: 1.0; at least 0.5 for the worst eye; – ability to withstand dazzle; – coloured contact lenses and photochromatic lenses are not allowed. UV filter lenses are allowed.</p> <p><i>4.5.2 Hearing and speaking requirements</i> – no anomaly of the vestibular system. – no chronic speech disorder (given the necessity to exchange messages loudly and clearly); – /.../ use of hearing aids only on conditions specified by the occupational physician.</p> <p><i>4.5.3 Anthropometrics</i> The anthropometric measures of staff must be suitable for the safe use of the rolling stock. Drivers must not be required or allowed to operate particular types of rolling stock if their height, weight or other characteristics would make this unsafe.</p>
<p><i>Justification</i></p> <p><i>Normal eyesight should be sufficient also for drivers. Hearing aids should be allowed in certain cases when it does not put safety at risk.</i></p>	
<p>5. LANGUAGE TESTS Staff responsible for controlling rail traffic must be able to use the messages and communication method described in the "Operations" TSI. Drivers and other staff of railway undertakings who have to communicate with the infrastructure manager</p>	



<p>on critical safety issues must have language skills in the language indicated by the infrastructure manager concerned. Their language skills must be such that they can communicate actively and effectively in routine, adverse and emergency situations.</p>	
<p>ANNEX IV PROFESSIONAL QUALIFICATIONS General programme and training method</p>	
<p>1. INTRODUCTION The content and organisation of the training courses must cover:</p> <ul style="list-style-type: none"> – an introduction to the railway undertaking and the post concerned, including first aid and health and safety at work; – operational rules, traffic safety regulations; – engineering (railway infrastructure and rolling stock) with emphasis on signalling, braking systems and train control systems, train preparation and fault detection and repairs. Decision-making about the fitness for service of the locomotive; – communication; training in loudspeaker usage as part of customer service; – acquisition of driving skills: accompanying an experienced driver, driving under supervision, simulator, independent driving; – local conditions and route knowledge acquisition; this training may take place after qualifying when the train driver is assigned to a particular area of duty; – incidents and abnormal situations: coping under stress and in conflict situations; – fire-fighting. <p>The skills required are divided into three parts:</p> <ul style="list-style-type: none"> – The 'general' part, details of which are given in Annex V; – The part relating to rolling stock, details of which are given in Annex VI; – The part relating to infrastructure, details of which are given in Annex VII. 	<p>1. INTRODUCTION The content and organisation of the training courses must cover:</p> <ul style="list-style-type: none"> – an introduction /---/ including first aid and health and safety at work; – operational rules, traffic safety regulations; – engineering (railway infrastructure and rolling stock) with emphasis on signalling, braking systems and train control systems, train preparation and fault detection and repairs. Decision-making about the fitness for service of the locomotive; – communication; training in loudspeaker usage as part of customer service; – acquisition of driving skills: accompanying an experienced driver, driving under supervision, simulator, independent driving; – local conditions and route knowledge acquisition; this training may take place after qualifying when the train driver is assigned to a particular area of duty; – incidents and abnormal situations: coping under stress and in conflict situations; – fire-fighting. <p>The skills required are divided into three parts:</p> <ul style="list-style-type: none"> – The 'general' part, details of which are given in Annex V; – The part relating to rolling stock, details of which are given in Annex VI; – The part relating to infrastructure, details of which are given in Annex VII.

Justification

It should be possible for a driver to attend a course without being employed by a railway undertaking, for example organized by a general institute. It is self-evident that all employees of a railway undertaking will be given a general introduction.

2. TRAINING METHOD

There should be a good balance between theoretical training (classroom and demonstrations) and practical training (on-the-job experience, driving with and without supervision).

Computer-aided training is accepted for individual learning of the operational rules, signalling situations, etc. **However, simulators of the latest generation should be used.**

The use of simulators may be useful for the effective training of drivers; they are particularly useful for reducing the driving time on the infrastructure, training to deal with abnormal situations and further training on new types of locomotives.

Concerning the acquisition of route knowledge, the approach to be favoured is where the train driver accompanies another driver for a number of journeys along the route, both in daylight and at night. Videos of the routes as seen from the driver's cab can be used as an alternative training method.

2. TRAINING METHOD

There should be a good balance between theoretical training (classroom and demonstrations) and practical training (on-the-job experience, driving with and without supervision).

Computer-aided training is accepted for individual learning of the operational rules, signalling situations, etc. /---/

The use of simulators may be useful for the effective training of drivers; they are particularly useful for reducing the driving time on the infrastructure, training to deal with abnormal situations and further training on new types of locomotives.

Concerning the acquisition of route knowledge, the approach to be favoured is where the train driver accompanies another driver for a number of journeys along the route, both in daylight and at night. Videos of the routes as seen from the driver's cab can be used as an alternative training method.

Justification

The requirement that only simulators of the latest model should be allowed seems a bit exaggerated and will put unnecessary burdens on railway undertakings.

3. EXAMINATION

There must be theoretical and practical examinations at the end of the training course. Assessment of driving ability is normally made in driving tests on the network. Simulators may also be used for examining the application of operational rules and the driver's performance in particularly difficult situations.

ANNEX V EXAMINATION ON GENERAL PROFESSIONAL KNOWLEDGE	ANNEX V /---/ GENERAL PROFESSIONAL KNOWLEDGE
<p><i>Justification</i></p> <p><i>The Annex deals obviously with other matters than examination and the title should be amended accordingly.</i></p>	
<p>General matters The general training has the following objectives:</p> <ul style="list-style-type: none"> – acquiring the knowledge and procedures regarding of railway technologies, including safety and operational regulations; – acquiring knowledge and procedures regarding the risks related to railway operation and the various means to be used to combat them; – acquiring knowledge and procedures regarding one or more railway operating modes; – acquiring knowledge and procedures regarding one or more types of rolling stock. In particular, drivers must be able to: <ul style="list-style-type: none"> – understand the specific requirements for working in the profession of driver, its importance, and the professional and personal demands (long periods of work, being away from home, etc), – apply staff safety rules, – identify traction units, – know and apply a working method in a precise manner; – identify the reference and applications documents (manual of procedures and manual of lines as defined in the 'Operations' TSI, driver's manual, breakdown manual, etc); – adopt a lifestyle which is compatible with the profession of a safety operative, – identify the procedures applicable to accidents involving persons, – distinguish the hazards involved in railway operations in general, – know the principles governing traffic 	<p>General matters The general training has the following objectives:</p> <ul style="list-style-type: none"> – acquiring the knowledge and procedures regarding of railway technologies, including safety principles and the philosophy behind /.../ operational regulations; – acquiring knowledge and procedures regarding the risks related to railway operation and the various means to be used to combat them; – acquiring knowledge and procedures regarding one or more railway operating modes; – acquiring knowledge and procedures regarding /---/ trains, their composition and technical requirements on traction units, wagons, coaches and other rolling stock. In particular, drivers must be able to: <ul style="list-style-type: none"> – understand the specific requirements for working in the profession of driver, its importance, and the professional and personal demands (long periods of work, being away from home, etc), – apply staff safety rules, – identify traction units, – know and apply a working method in a precise manner; – identify the reference and applications documents (manual of procedures and manual of lines as defined in the 'Operations' TSI, driver's manual, breakdown manual, etc); – adopt a lifestyle which is compatible with the profession of a safety operative, – identify the procedures applicable to accidents involving persons,

<p>safety, – apply the principles of electrotechnology.</p>	<p>– distinguish the hazards involved in railway operations in general, – know the principles governing traffic safety, – apply the principles of electrotechnology.</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>It should be able to follow a course to acquire the licence without being assigned to a particular railway undertaking operating on a specified infrastructure. Thus the requirements should be as general as possible.</i></p>	
<p>ANNEX VI EXAMINATION OF PROFESSIONAL KNOWLEDGE OF ROLLING STOCK</p>	<p>ANNEX VI /---/ PROFESSIONAL KNOWLEDGE OF ROLLING STOCK</p>
<p style="text-align: center;"><i>Justification</i></p> <p><i>The Annex deals obviously with other matters than examination and the title should be amended accordingly.</i></p>	
<p>After completing specific training on rolling stock, drivers must be able to carry out the following tasks. 1. TESTS AND CHECKS PRIOR TO DEPARTURE Drivers must be able to: – perform a route check and consult the relevant documents, – collect the documentation and the necessary equipment, – check the capacities of the traction unit, – check the information entered in the documents on board the traction unit, – ensure, by performing the checks and tests specified, that the traction unit is capable of providing the required traction power, and that the safety equipment is operating, – perform any routine preventive maintenance operations.</p>	

<p>2. KNOWLEDGE OF ROLLING STOCK</p> <p>To operate a locomotive, drivers must be familiar with all the controls and indicators placed at their disposal, in particular those concerning:</p> <ul style="list-style-type: none">– traction,– braking,– traffic safety-related elements. <p>In order to detect and locate anomalies in the rolling stock, report them and determine what is required to repair them, and in certain cases, to take action, drivers must be familiar with</p> <ul style="list-style-type: none">– the constituent parts of the rolling stock. their purpose, and the devices specific to the hauled stocks, in particular the system of stopping the train by venting the brake pipe,– the meaning of markings on the inside and outside of the rolling stock, in particular the symbols used for the transportation of dangerous goods,– the parts specific to traction units.³³	
<p>3. TESTING THE BRAKES</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none">– check, before departure, that the train’s actual braking power corresponds to the braking power required for the line as specified in the vehicle documents,– check the functioning of the traction unit’s brakes before departure, at start-up and during running.	
<p>4. OPERATING MODE AND MAXIMUM SPEED OF THE TRAIN IN RELATION TO THE LINE CHARACTERISTICS</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none">– take note of information given to them before departure,– determine the type of running and the maximum speed of the train on the basis of variables such as speed limits or any signalling changes.	



<p>5. DRIVING THE TRAIN IN A WAY WHICH DOES NOT DAMAGE INSTALLATIONS OR VEHICLES</p> <p>Drivers must be able to:</p> <p>³² In particular:</p> <ul style="list-style-type: none"> • mechanical structures • braking system • suspension and attachment equipment • running gear • safety equipment. <p>³³ In particular:</p> <ul style="list-style-type: none"> • collection of current and high-voltage systems • fuel tanks, fuel supply system, exhaust equipment • traction chain, motors and transmission • communication equipment (ground-to-train radio, etc.). <ul style="list-style-type: none"> – use all available control systems in accordance with the applicable rules, – start the train taking account of adhesion and power constraints, – know the train’s position on the line at all times, – apply the brakes for decelerations and stops, taking account of the rolling stock and installations. 	
<p>6. ANOMALIES</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none"> – be attentive to unusual occurrences concerning the behaviour of the train, – identify signs of anomalies, distinguish between them and react according to their relative importance, always giving priority to the safety of rail traffic and persons, – know the available means of protection and communication, – inspect the train to detect any minor anomalies, – try to remedy such anomalies. 	
<p>7. OPERATING INCIDENTS AND ACCIDENTS, FIRES AND ACCIDENTS INVOLVING PERSONS</p> <p>Drivers must be able to:</p> <ul style="list-style-type: none"> – take steps to protect the train and summon assistance in the event of an accident involving persons on board the train, – determine whether the train is transporting dangerous goods and identify them on the basis of train documents and wagon lists. 	

<p>8. CONDITIONS FOR CONTINUING RUNNING AFTER AN ACCIDENT INVOLVING ROLLING STOCK After an incident, drivers must be able to:</p> <ul style="list-style-type: none"> – decide if the vehicle can continue to run and under what conditions, – inform the infrastructure manager of those conditions as soon as possible. 	
<p>9. IMMOBILISATION OF THE TRAIN Drivers must be able to take measures to ensure that the train does not start up unexpectedly, even in the most difficult conditions.</p>	
<p>ANNEXE VII EXAMINATION OF PROFESSIONAL KNOWLEDGE OF INFRASTRUCTURE</p>	<p>ANNEXE VII /---/ PROFESSIONAL KNOWLEDGE OF INFRASTRUCTURE</p>
<p><i>Justification</i></p> <p><i>The Annex deals obviously with other matters than examination and the title should be amended accordingly.</i></p>	
<p>Matters relating to infrastructure</p> <p>1. TESTING THE BRAKES Drivers must be able to check, before departure, that the train’s actual braking power corresponds to the braking power required for the line as specified in the vehicle documents.</p> <p>2. TYPE OF OPERATION AND MAXIMUM TRAIN SPEED ACCORDING TO THE LINE CHARACTERISTICS Drivers must be able to:</p> <ul style="list-style-type: none"> – take note of information given to them before departure, such as the speed limits or any signalling changes; – determine the type of running and the maximum speed of the train on the basis of the characteristics of the line. <p>3. KNOWLEDGE OF THE LINE Drivers must be able to anticipate problems and react appropriately in terms of safety and performance. They must therefore have a thorough knowledge of the railway lines and installations on their route and of any equivalent routes agreed on. The following</p>	



aspects are important:

- operational conditions (changes of track, one-way running, etc.),
- identification of tracks that can be used for a given type of running,
- the operations regime,
- the block system and associated regulations,
- station names and the position and distance-sighting of stations and signal boxes to adapt driving accordingly,
- transition signalling between different operating or power supply systems,
- speed limits for the different train categories driven,
- topographical profiles,
- particular braking conditions, for example on lines with a steep downward gradient,
- particular operating features: special signals, signs, departure conditions, etc.

4. SAFETY REGULATIONS

- Drivers must be able to:
- start the train only when all prescribed conditions are fulfilled (timetable, start order or signal, operation of signals if required, etc.),
- observe track-side or in-cab signals, interpret them immediately and without error, and act as specified,
- run the train safely according to the specific modes of operation: apply special modes if instructed, temporary speed restrictions, running in opposite direction, permission to overrun signals at danger, switching operations, turns, running through construction sites, etc
- respect scheduled or supplementary stops, and if necessary perform supplementary operations for passengers during these stops, notably opening and closing the doors.

5. DRIVING THE TRAIN

- Drivers must:
- know the train's position on the line at all times,
- apply the brakes for decelerations and stops, taking account of the rolling stock and installations,
- adjust the running of the train in accordance with the timetable and any orders given on saving energy, taking account of the characteristics of the traction unit, the train, the line and the environment.

6. ANOMALIES

Drivers must be able to:

- be attentive, insofar as train operation permits, to unusual occurrences concerning the infrastructure and the environment: signals, tracks, energy supply, level crossings, track surrounding, other traffic,
- be attentive to unusual occurrences concerning the behaviour of the train,
- know particular distances to clear obstacles,
- inform the infrastructure manager as soon as possible of the place and nature of anomalies observed, making sure that the



information has been understood,
– ensure or take measures to ensure the safety of traffic and persons, whenever necessary.

7. OPERATING INCIDENTS AND ACCIDENTS, FIRES AND ACCIDENTS INVOLVING PERSONS

Drivers must be able to:

- take steps to protect the train and summon assistance in the event of an accident involving persons,
- determine where to stop the train in the event of a fire and facilitate the evacuation of passengers, if necessary,
- provide useful information on the fire as soon as possible if the fire cannot be brought under control by the driver acting alone,
- after an incident, decide if the rolling stock can continue to run and under which conditions,
- inform the infrastructure manager of these conditions as soon as possible.