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Mr Keir Fitch
European Commission
Head of Unit C.4, Rail Safety & Interoperability - Directorate-General Mobility and Transport
Rue Jean-André de Mot/ Jean-André de Motstraat 24-28
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Mr Josef Doppelbauer
European Union Agency for Railways
Executive Director
Rue Marc Lefrancq 120
F-59307 Valenciennes

Brussels, 30th March 2020

Implementation of the 4th Railway Package's Technical Pillar

Dear Mr Fitch,
Dear Mr Doppelbauer,

The Fourth Railway Package Technical Pillar has undoubtably been *the* priority subject regarding technical railway regulation development in recent years.

A prerequisite for the success of the Fourth Railway Package Technical Pillar is the smooth transition to the new regime. This transition is based on a timely transposition of the Railway Interoperability and Safety Directives into national law by each EU Member State by 16 June 2020. In addition, the Commission Implementing Regulations establishing the practical arrangements for the European vehicle authorisation and single safety certification processes apply in all Member States from 16 June 2020. Based on this, all project planning regarding vehicle authorisation and safety certification is currently scheduled based on the due date 16 June 2020 for the entry into operation of the Fourth Railway Package. In fact, several Member States' National Safety Authorities (NSAs) already no longer accept applications under the previous regime in advance of the 16 June 2020 deadline, thereby creating in a gap in time where applications cannot be submitted or processed.

With less than 3 months until that date, the European Commission is asked to clarify any implications of the non-transposition of the Directives by one or more Member States by this date, a scenario which is not foreseen in the Implementing Regulations.

To avoid the negative effects of legal uncertainty the sector requires clarification and guidance on how to proceed with applications for vehicle authorisation and safety certification in the case of non-transposition by a Member State on 16 June 2020.

The Group of Representative Bodies remains committed to supporting the European Commission and European Union Agency for Railways in making the Fourth Railway Package a success and to secure its benefits for the entire sector.

We look forward to your response and clarification being provided on this pressing matter.

Yours sincerely,

Nick Brooks
ALLRAIL Secretary General

Libor Lochman
CER Executive Director

Monika Heiming
EIM Executive Director

Tim Gilbert
President, European Passenger Train and Traction Operating Lessors' Association

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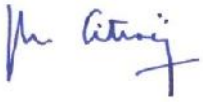

Philippe Citroën
UNIFE Director General