

Regulations on private sidelines and freightlines

Chapter 1. Introductory provisions

§ 1. Purpose

The purpose of this regulation is to establish minimum requirements to ensure that the businesses are working systematically and proactively so that the established level of safety is maintained and to the extent it is necessary be improved, as well as the railway accidents, serious railway incidents and railway incidents be avoided.

§ 2. Scope

The regulation applies to the operation of the private side tracks and freightlines.

§ 3. Definitions

Of the regulations here be understood with:

a) *serious rail event*: an unwanted event that under slightly different circumstances could have led to a railway accident,

b) *freightlines*: railway business on the privately owned infrastructure that is used only by the owners for their own freight transport,

c) *infrastructure*: tracks, substructure, power conditioning, signal system and communication system,

d) *rail event*: any other event than a railroad accident, which is connected with the railway, and which affect the safety,

e) *rail accident*: an unwanted or unintended sudden event or a specific number of such events which have harmful follows, including that someone dies or is seriously injured, which causes significant damage to railway material, on the infrastructure, on the property outside the railway or on the environment, and all other similar accidents,

f) *railway business*: running of infrastructure, traffic management and/or traffic operations or running infrastructure, traffic management and/or traffic business,

g) *vehicle*: a vehicle that runs on its own wheels on railway with or without own traction,

h) *side tracks*: tracks that are not used to the run of the train, but to stabling, up-and offload of wagons and more, including the terminal tracks and end up track,

i) *safety management*: systematic measures an organization implements to achieve, maintain and further develop the safety level in accordance with specific goals,

j) *safety management system*: organization and systems created by a railway company for the purpose of safe management of their business,

k) *shift*: vehicles that are moved during shunting,

l) *shunting*: movement of vehicle that are not train,

m) *train*: vehicle with traction with or without wagons to be driven from a particular starting location to a specific arrival place,

n) *traffic management*: train management and other features that coordinates and safeguards the safety of the driving.

Chapter 2. Safety management system

§ 4. Requirements to the safety management system

The railway business is going to have a safety management system. The purpose of the safety management system should be to establish a comprehensive management of the business to be able to drive safely.

Safety management system to be adapted to the nature and extent of the business and to contain provisions which are necessary to control all the significant risks associated with the business.

Safety management system should be documented, and sufficiently known by all who have tasks that can affect safety.

§ 5. Requirements for safety management system

Safety management system shall at least include:

a) provisions on how the safety risks associated with the operation of the business to be identified and followed up,

b) provisions on the operations and maintenance that safeguards satisfactory safety,

c) skill requirements for personnel who have tasks that can affect the safety,

d) description of how responsibility and authority are distributed in the enterprise organization, including instructions for personnel who have tasks that can affect the safety,

e) emergency plan and emergency response exercises,

f) routines for following up of train accident, serious rail incident, train event and the variance from the railway legislation and internal regulations. Routines should include immediate measures to reduce the effects of the accident, event or deviation, examination of the cause and the determination of actions to prevent repetition and

g) annual summary of the previous year's safety work.

Chapter 3. Requirements for management of the infrastructure

section 6. *General requirements for management of the infrastructure*

The railway business shall ensure that the infrastructure at any given time is designed and in such a condition that it facilitates safe operation. It shall only be granted access to vehicle that is compatible with the infrastructure.

section 7. *Principles of traffic management(signalling block principle)*

The railway business shall design and operate the infrastructure as well as traffic management, so that driving of trains on a line or on a track is controlled in a way that ensures that a train is not running in on a line or a track where there is vehicle (signalling block principle).

section 8. *Signal principles*

The railway business should have principles of allowable signals and their location.

§ 9. *Control and maintenance of the infrastructure*

The railway business shall have control with the infrastructure, and carry out necessary maintenance. The railway business should have minimum safety requirements to the systems, parts and components.

The railway business shall have control of the performed maintenance.

§ 10. *Technical documentation*

The railway business shall have technical documentation for all systems, parts and components. The documentation shall describe the assumptions and limitations that are associated with your infrastructure's design.

section 11. *Overview of the infrastructure*

The railway business shall have a proven record of systems, parts and components that are part of the infrastructure. The list to identify the systems, parts and components using a location.

§ 12. *Driving in connection with the operation of the infrastructure*

When driving in connection with control, work, clearance of snow or vegetation etc. on the infrastructure, the same safety requirements as the rest of traffic applies.

section 13. *Traffic management*

All traffic on the infrastructure are to be monitored and managed so that the business is run safely.

When driving after the signalling block principle, the traffic control shall make sure that direction, and trains position order is at all times overviewed . On tracks that are not confirmed free of train, driving can be allowed if the speed is restricted so that the train can stop on half of the visible track.

Traffic manager shall have suitable equipment to perform traffic management, including to be able to communicate with train operation personel.

section 14. *Provisions for safe traffic management for freightlines*

Railway companies that runs freightline shall have set of rules for traffic adapted to the safety standard of the line. The set of rules shall ensure safe traffic management under all operating situations.

The railway business should have set of rules for shunting.

The set of rules shall reflect the system for traffic managing and should at least include rules on signals and their importance in the traffic management, responsibility, chain of command and communication procedures.

Chapter 4. Requirements for traffic operators

section 15. *General requirements for traffic operators*

The railway business shall ensure that the traffic is safe.

Premises and restrictions relating to the vehicle's design shall be the base for procedures for the operation and maintenance of vehicles.

section 16. *Control and maintenance of vehicles*

The railway business shall conduct control of the vehicle. The railway business shall have safety minimum requirements to the systems, parts and components.

The vehicles are to be maintained according to national and international standards. The railway business shall document performed maintenance.

§ 17. *Technical documentation*

The railway business shall have the updated technical documentation for vehicles, including all systems, parts, components and maintenance requirements. The documentation shall be able to verify that the systems, parts and components are in accordance with the national and international standards that are the basis for projecting and construction. The documentation shall describe the assumptions and constraints that are attached to the vehicle's design.

§ 18. *Overview of vehicle*

The railway business should have a documented overview of all vehicles that the business uses. The overview should at a minimum identify the vehicles individually.

§ 19. *Communication system*

Vehicles shall be equiped for emergency communication adapted to the infrastructure's system for communication, so that it at all times is mutual possibility for rapid contact between the driver and the traffic management.

section 20. *Set of rules for driving on freightline*

The railway business' that runs freightline shall have prepared necessary set of rules for driving trains . The set of rules shall be matched with the current rules for the relevant infrastructure and shall at least include rules for composition of trains, braking power, axle load, load limit, metric weights, permissible speeds, securing of cargo and more.

§ 21. *Controlling procedures for freightline*

The railway business that runs freightline shall have rules for testing train brakes as well as rules to ensure that vehicles at all time are safe to operate.

Chapter 5. Requirements for infrastructure

§ 22. *General requirements to infrastructure*

The infrastructure shall be designed so that traffic can run safely.

The infrastructure should be planned, built and tested according to national and international standards. The railway business shall make a safety assessment of nonconformity the selected standards. The assessment should be documented.

The railway business shall use the standard process 50126 when building a new infrastructure and when change of programmable technical systems. By other changes of the infrastructure railway business shall consider if the change is of such a character that the use of a 50126 is appropriate. The assessment shall be documented.

§ 23. *Tracks etc.*

Tracks, substructure as well as the track geometry should be designed and maintained so that the possibility of derailing is minimalized. Safety limit values for tracking errors, including the warped tracks, track extensions, height and page fault shall be determined in relation to the vehicles allowed used on the line and the permissible speed on the line.

Storage tracks stabling shall be secured so that the vehicle does not inadvertently comes out on the tracks for trains.

section 24. *Tunnels, bridges, etc.*

Tunnels and bridges shall be designed and equipped for possible evacuation and self-evacuation in case of fire and other accidents.

Walking ways on bridges shall be shielded with railings. Walkways should be free of obstacles in the height and width so that the evacuation can take place in a safe way.

§ 25. *Level crossings*

Level crossings shall be adapted for safe passage for road users.

It shall not be built new level crossings. It can still be built on areas that level crossings are closed for ordinary traffic, as well as the temporary level crossings on construction sites.

§ 26. *Signaling systems*

Signal systems shall be constructed so that they fail to a safe condition.

Signals shall be placed so that it's clear which tracks signals applies to, and the signal shall be visible for the driver in good time before passing the signal.

Section 27. *Communication system*

On all infrastructure it shall be system for emergency communication, so that at all time it is mutual opportunity for rapid contact between the driver and the traffic management.

section 28. Permission to make use of the infrastructure

Before the infrastructure is placed in service the Norwegian Railway Authority shall give permission. Later modifications of infrastructure, including signal principles, shall be reported to the Norwegian Railway Authority who will assess whether the modification is of such a nature that the new permission to make use of the infrastructure, or permission to make use of the modification, is required.

section 29. Message about new or modified infrastructure

The message about new or modified infrastructure is to be sent to the Norwegian Railway Authority of as early as possible.

The message should at least contain:

- a) name and contact information to the contact person,
- b) planned progress of the project,
- c) system description,
- d) safety plan,
- e) overview of the planned used standards and
- f) risk assessment.

section 30. Application for permission to take the infrastructure in use

Application for permission to take the infrastructure in use shall at least contain:

- a) description of the finished infrastructure,
- b) overview of verifications,
- c) safety report,
- d) updated list of standards with the overview of the used deviation from standards and the safety reviews that is the basis for acceptance of deviations,
- e) overview of the performed risk assessments with the overall view of assumptions and recommendations from risk assessments as well as the description of how the assumptions and recommendations are followed up and
- f) safety follow-up plan (SOP).

Is the assessor or other independent parties used, reports and follow-up of these be attached.

Norwegian Railway Authority may require that the use of assessor, and that the Norwegian Railway Authority has direct contact with the person in question. The assessor should be accepted by the Norwegian Railway Authority. Norwegian Railway Authority may also require that the use of independent parties for other types of activities.

Chapter 6. Requirements for vehicles

section 31. *General requirements for vehicle*

Vehicles shall have a technical design and operational condition that makes it safe to run.

Vehicle should identity marked as well as have technical marks and marks for use.

32. *compatibility with the infrastructure*

Vehicle have to be certified compatible with the infrastructure it will be used on, including profile, sub construction, power conditioning, signal system and communication system.

section 33. *Brakes*

All vehicles shall have brakes. The brakes shall under all conditions be able to stop the vehicle within a maximum braking length defined by the railway business. Brake systems should be designed so that they fail to a safe condition.

Vehicles shall have parking brake or other equipment for safe parking of the vehicle.

Driver's cab shall be equipped with a system for control og alertness that activates the brakes if the driver falls asleep, or loses consciousness.

section 34. *Evacuation*

Vehicles shall be facilitated so that evacuation and self- evacuation can be done in case of fire and other accidents.

Vehicles shall have emergency equipment on board that fits the use of the vehicle. Emergency equipment and the placement of this shall be marked.

Vehicles shall have emergency light.

section 35. *Requirements for new or modified vehicles*

Vehicles shall be constructed, tested, upgraded and renewed according to national and international standards. Selected standards shall maintain or improve safety for that particular vehicle. The railway business shall make a safety assessment of deviation from the selected standards. The assessment should be documented.

For all new vehicles or by significant upgrades the process standard 50126 shall be followed.

Vehicles shall be constructed so that it can put up with the operational and climate conditions it is exposed to during operation.

section 36. Permission to make use of the vehicle

Before the vehicle is taken into use on the infrastructure, the Norwegian Railway Authority shall give permission to use the vehicle. Any later modifications of the vehicle shall be reported to the Norwegian Railway Authority who will assess whether the change is of such a nature that a new permission to make use of the vehicle, or permission to use the modification is required.

section 37. Message about the new or modified vehicles

The message shall be sent to the Norwegian Railway Authority of new or modified vehicles as early as possible.

The message shall at least contain:

- a) name and contact information to the contact person,
- b) planned progress in the project,
- c) system description,
- d) safety plan,
- e) overview of the planned used standards and
- f) risk assessment.

section 38. Application for permission to make use of the vehicle

Application for permission to use the vehicle shall at least contain:

- a) overview drawings and descriptions of the vehicle type,
- b) overview of verifications,
- c) safety report,
- d) updated list of standards with the overview of used deviations and the safety assessments that is the basis for acceptance of deviations,
- e) overview of the performed risk assessments with the overall view of assumptions and recommendations from risk assessments as well as the description of how the assumptions and recommendations are followed up and
- f) safety follow-up plan (SOP).

Is the assessor or other independent parties used, reports shall be attached.

Norwegian Railway Authority may require that it shall be used assessor, and that the Norwegian Railway Authority has direct contact with the person in question. The assessor shall be accepted by the Norwegian Railway Authority. Norwegian Railway Authority may also require that it shall be used independent parties to other types of activities.

Chapter 7. Closing provisions

§ 39. *Exception*

Norwegian Railway Authority can make exceptions to this regulation from the railways nature and scope.

section 40. *The entry into force*

The regulation will take effect xx.xx.xxxx. From the same time repealed regulation 6. December 2006 No. 1356 about requirements for light rail, underground and suburban railway, and side tracks and more (regulation requirements).