

Ms Elisabeth Werner
Director for Land
Directorate-General for Mobility and Transport
European Commission,
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FACTS & FIGURES

27 March 2020

> 250 wagon
Keepers

50% of the
tonne-km
transported
around Europe

>200,000
freight wagons

€ 400-500 mln
yearly
investment
volume

Subject: Extension of the validity of certificates in relation to certified Entities in Charge of Maintenance

Dear Elisabeth,

Due to the COVID-19 crisis, many Member States have declared the state of emergency. Some countries, such as France, have announced that they will extend the validity of some national certificates and attestations in the transport sector which are due to expire during that period (please see letter of the French Transport Ministry of 26 March 2020 attached). However, these exemptions given by the French government do not apply to requirements resulting from EU legislation.

We therefore call the European Commission, in the same spirit, to extend the validity of certificates in relation to certified Entities in Charge of Maintenance (ECM) which results from Commission Regulation (EU) No 445/2011 on a system of certification of entities in charge of maintenance for freight wagons.

In case it would be legally up to the Member States to decide whether to apply such exemptions, it would be helpful if the European Commission could recommend and request all Member States to apply an extension of the deadlines.

Based on the French proposal, which could be used as a kind of best practice, the validity period of ECM certificates should be **extended for all the ECM certificates which are due to be renewed since March 2020 and until one month** after the end of the state of emergency.

An obligation to renew the certificates within maximum of two months after the end of the extension period should be included. According ERADIS (European Railway Agency Database of Interoperability and Safety), 38 ECM certificates will run out of validity between March and June 2020. As some of the companies concerned hold big fleets of freight wagons, the impossibility of renewing ECM certificates on time due to the current lockdowns, will put the transport of basic supply within the EU at risk.

In general, we would very much appreciate a general declaration of the European Commission or of the European Union Agency for Railways on:

- the importance for transport sector to ensure the continuity of economic life and basic supply within the European Union (as stated in the Joint Statement of 33 transport associations enclosed)

Petroleum

Compressed gas

Chemicals

Car Carriers

Covered wagons

Open box

Flat wagons

Hopper

Combined
transport

Other

- the importance to take all the necessary measures to allow transport companies to continue their activity without administrative barriers
- the necessity to take extraordinary measures regarding the holding of certificates, approvals or attestations and the legal constraints on time limitations as long as a state of emergency exists

This would send a strong message towards national governments and the sector for looking on short notice at the necessary derogations to be introduced in order not to amplify the crisis.

Should you and your team have further questions, please do not hesitate to contact us.

We are looking forward to hearing back from you.

Sincerely Yours,



Gilles PETERHANS

Secretary General of UIP