Railway infrastructure management

Railway infrastructure includes railway lines and other structures, buildings and equipment, together with the corresponding land, located on railway premises, designed for the management, passenger or freight transport, and for the maintenance of the infrastructure manager's property for these purposes. Railway line is defined as a railroad that has a start and an end, together with its adjacent strip of land, and includes line sections, buildings, structures and equipment designed to manage rail traffic, together with their corresponding land. Therefore, railway infrastructure comprises railway lines (together with buildings, structures and equipment designed to manage rail traffic and their corresponding land) and other buildings, structures and equipment, together with their corresponding land, located on railway premises, designed for the management, passenger or freight transport, and for the maintenance of the infrastructure manager's property for these purposes. All these elements make up railway infrastructure as a whole. Sole "structures, buildings, and equipment, together with their corresponding land", can form part of railway infrastructure as well, provided that they are "located on railway premises and designed for the management, passenger and freight transport, and for the maintenance of the infrastructure manager's property for these purposes". Such structures include also the so-called service facilities, which provide access to the equipment required for train service. Similarly, railway lines located on railway premises in an area where no other structures or buildings are present, are part of railway infrastructure.

The Rail Transport Act (Article 5 (1)) defines operations that form part of railway infrastructure management, namely:

1) building and maintaining railway infrastructure;

2) managing train traffic on railway lines;

3) maintaining railway infrastructure in a condition that ensures the safe management of rail traffic;

4) providing paths for trains along railway lines and providing corresponding services;

5) managing property included in the railway infrastructure.

The document that authorises the manager to manage railway infrastructure is safety authorisation or safety attestation (for statutory exemptions). One of the operations associated
with railway infrastructure management is the provision of railway infrastructure, which means allocating paths along railway lines for railway undertakings and providing the necessary railway infrastructure for use. Railway undertakings are authorised to have minimum access to railway infrastructure and access to service facilities on railway network and also to provide this service, as defined in Part I of the Appendix to the Railway Transport Act, entitled "Services to be provided to railway undertakings". It states that the minimum access to railway infrastructure includes:

1) the management of applications for capacity allocation;
2) the right to use the allocated railway infrastructure;
3) the use of crossovers and railway junctions to the extent necessary for trains to run along the allocated path;
4) traffic management, including signalling, control, dispatch and communication, as well as the provision of information on train movement;
5) the provision of information required to introduce or operate transport services, for which capacity was allocated;
6) the provision of traction equipment, where available.

In addition, par. 2 states that access on railway network to service facilities and the provision of these services includes the use of:

1) fuel supply systems;
2) passenger stations, their buildings and other equipment;
3) railway terminals;
4) marshalling yards;
5) train formation tracks and facilities;
6) storage sidings;
7) maintenance and other technical conveniences.

Access to infrastructure is provided on the basis of applications made in accordance with the Network Statement and rules for using the allocated paths by licensed railway undertakings. The Network Statement and rules are to be developed by the manager. They are prepared following consultations with railway undertakings to ensure:
1) the equal treatment of undertakings at all stages of cooperation, including:

   a) the provision of access to railway infrastructure,
   b) the preparation of train timetable,
   c) the conclusion of agreements and framework agreements,
   d) the use of railway infrastructure,
   e) the settlement of routes, the calculation and collection of charges;

2) the safe and efficient provision of transport services.

(§ 8 (1) (1) and § 8 (1) (2) of the Regulation of Minister of Infrastructure of 5 June 2014 on the terms and conditions of access to and use of infrastructure)

In line with § 8 (1) (3) of the Regulation, railway undertakings should have the possibility to obtain the following information in the rules and Network Statement:

1. contact data of the infrastructure manager, including any correspondence addresses, telephone and fax numbers, and e-mail addresses;
2. detailed specification of services provided as part of the provision of railway infrastructure;
3. procedures for submitting and considering applications, including the principles of setting connections;
4. requirements and conditions for the rolling stock, staff, and transport service organisation, as well as auditing measures taken by the authorised personnel of the manager;
5. procedures in case of congested sections of infrastructure referred to in § 5 (1);
6. internal policies of the manager that will apply to the railway undertaking during timetable preparation and application;
7. procedures for providing railway undertakings with the description of conditions and technical specifications for railway lines, including in particular the maximum technical speed and maximum railway line loads and railway line classes;
8. notification procedures for changes in the technical and operational specifications of railway lines, where paths have been allocated, including any limitations connected with works, new speed limits and other operating restrictions, malfunction of rail traffic control and communication systems and rolling stock control and troubleshooting
9. procedures in case of difficulties in determining paths for international trains;
10. procedures, conditions and deadlines for making changes to timetables;
11. restrictions to using railway infrastructure;
12. procedures for setting charges for using rail infrastructure;
13. procedures for classifying railway lines into categories;
14. special technical and organisational requirements for the railway infrastructure provided by the manager;
15. dispatch points, distances between them and the characteristics of systems used to check in passengers and dispatch shipments, in particular regarding the length and height of platform edges where passenger trains can stop;
16. division of the transport market used to determine the scope of application of the importance of the component associated with the type of transport services provided, as mentioned in § 7 (3);
17. importance of the component associated with the type of transport services provided, as mentioned in § 7 (3), identified by type of transport services;
18. schedules for preparing timetables;
19. procedures and dates for introducing changes to Network Statement and rules.

Network Statement is announced in a customary manner, no later than 4 months before the expiry of the deadline for accepting applications for the allocation of paths.

Another responsibility of the railway infrastructure manager is to define charges for railway undertakings for using railway infrastructure. No later than 9 months before a timetable becomes applicable, the manager submits to the President of UTK for acceptance: draft minimum access charges, including market research findings, draft charges for access to service facilities and draft additional charges, together with the corresponding calculations. The President of UTK either accepts or refuses to accept the charges, based on whether they comply with the principles specified in the Rail Transport Act and the Regulation on the conditions of access to and use of rail infrastructure.

The requirement to publish the Network Statement on time and to submit the minimum access charges to President of UTK for acceptance, lies with the manager authorised to manage the infrastructure on the basis of a relevant safety authorisation or attestation.