

End of transition period for interoperability constituents without EC declaration

16.04.2021

On May 31, 2021, the possibility of issuing EC certificates of verification for structural subsystems Infrastructure and Energy which contain interoperability constituents that do not have an EC declaration of conformity or an EC declaration of suitability for use ends. It is due to the end of the transitional period indicated in Commission Regulations (EU) No 1299/2014 and 1301/2014.

The end of the transitional period means that the manufacturers are under an obligation to provide an EC declaration of conformity or an EC declaration of suitability for use for all interoperability constituents included in the subsystems for which the EC certificate of verification will be issued after the expiry of the transitional period. Moreover, the production, modernization or renewal and commissioning of subsystems using non-certified interoperability constituents must be completed by May 31, 2021. In accordance with the Railway Transport Act 2003 'placing in service' should be understood as obtaining a permission to operate in the case of modernized subsystems, for which it is necessary to obtain an authorization for placing in service.

In case of subsystems with installed non-certified interoperability constituents which will not be put into service by May 31, 2021, it will be necessary after the transitional period to provide an EC declaration of conformity or an EC declaration of suitability for use for all interoperability constituents built into these subsystems. It will be mandatory to update the documentation of the EC verification process and the EC certificate of verification and the EC declaration of verification of the subsystem in accordance with the provisions of the Commission Implementing Regulation (EU) 2019/250.

Legal basis

Commission Implementing Regulation (EU) 2019/250 of 12 February 2019 on the templates for 'EC' declarations and certificates for railway interoperability constituents and subsystems, on the model of declaration of conformity to an authorised railway vehicle type and on the 'EC' verification procedures for subsystems in accordance with Directive (EU) 2016/797 of the

European Parliament and of the Council and repealing Commission Regulation (EU) No 201/2011, OJ L 42, 13.2.2019, p. 9-24.