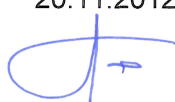


Cross Acceptance Unit	
REFERENCE DOCUMENT PART 3: HUNGARY NATIONAL LEGAL FRAMEWORK APPLIED IN CONJUNCTION WITH THE AUTHORISATION OF RAILWAY VEHICLES IN ACCORDANCE TO ART.27 OF DIRECTIVE 2008/57/EC IN HUNGARY	
DOCUMENT TYPE:	TECHNICAL DOCUMENT
VERSION:	1.6.1

	Edited by	Approved by
Name	Ny Tiana Tournier	ALSCHER Tamás
Position	Cross Acceptance Unit Head of Authorisation Processes Sector	National Safety Authority of Hungary Head of Railway Department
Date & Signature.	15.12.2012 	20.11.2012 

Background information

The 3 sheets: Back Info-General, Back Info - Roles and Resps, and Back Info - Timeframe shall be filled in with the relevant information.

The cells coloured in:  are those to be filled in.




Additional information

Additional information to the flowcharts is requested where the objects are bordered with a thick black line. Reference N° of these objects have been introduced.

The 8 sheets: Stage 1, Stage 2, Stage 3, Stage 4, Stage 6, Stage 7 and Stage 8 shall be filled in with the relevant information.

The cells coloured in:  are those to be filled in.

Colour coding from the flowcharts

	legal option
	non mandatory/common practice
	national legal option

Contact details for National Legal Framework		
Reporting country	Organisation Name	Office phone number
Hungary	Nemzeti Közlekedési Hatóság, Útügyi, Vasúti és Hajózási Hivatal, Vasúti Főosztály (hereinafter: NKH)	+36 1 474 1760
Contact name	E-mail	Mobile phone number
IVÁNYI Zoltán	ivanyi.zoltan@nkh.gov.hu	
ALSCHER Tamás	alscher.tamas@nkh.gov.hu	

	Is there (Yes/No)	Classification: (general, specific, detailed)	Detailed reference of the rule(s)	Language(s) that the rule(s) are available in	MSS	
Interoperability Directive transposed	Yes	N/A	31/2010 ⁽³⁾ ; 31/2010 ⁽³⁾			
National guideline	No	N/A				
Additional authorisation required	Yes	N/A	31/2010 ⁽³⁾ . NFM 11. §	Hungarian	N/A	
Definitions:	Vehicle type	detailed	31/2010 ⁽³⁾ . NFM 2. § and Annex 1	Hungarian		
	Time validity of a type	No	N/A			
	Upgrading (*)	Yes	detailed	31/2010 ⁽³⁾ . NFM 22. § and Annex 1	Hungarian	
	Renewal (*)	Yes	detailed	31/2010 ⁽³⁾ . NFM 22. § and Annex 1	Hungarian	
Specific national arrangements for on track tests	Yes		31/2010. NFM Annex 2 (8)	Hungarian		
Coordination with other MSS	Procedure for simultaneous application	No (**)				

Fees	Is there (Yes/No)	Amount ⁽⁷⁾ (HUF)	Conditions (fixed/hourly rate)	Detailed reference of the rule	Language(s) that the rule(s) are available in
To obtain the National guideline	No				
For the acknowledgement of receipt of application	No				
For issuing authorisation	Yes	1. preliminary type authorisation, authorisation for modification = 291 000 2. additional type authorisation and type authorisation = 346 000 3. type authorisation = 1 037 000 4. authorisation for placing in service: - under 10 t of nominal weight = 153 000 - 10-30 t of nominal weight = 200 000 - above 30 t of nominal weight = 291 000 4. modification of the authorisation for placing in service due to the change of the vehicle number = 96 000 5. EVN = 3000 /vehicle	fixed	⁽⁶⁾ 72/2006. GKM Annex 2.3	Hungarian
For refusal of authorisation	No				
For the appeal procedure to NSA	Yes	Depending on the procedure	fixed	72/2006. GKM 2.4	Hungarian
For the appeal procedure to Appeal Body	Yes				Hungarian
For the NSA acting as assessment body (DeBo/CSM)	No				
For NSA issuing certificates (DeBo/CSM)	No				

(*) renewal and upgrading have been understood and merged under modification in the HU transposition of the Directive 2008/57/EC

(**) cooperation with all other MSS practiced

(1) A közigazgatási hatósági eljárás és szolgáltatás általános szabályairól szóló 2004. évi 140. törvény (Act Nr. 140 of 2004 about the rules of the public administrative procedures, hereinafter: Ket.);

(2) A vasúti közlekedésről szóló 2005. évi 183. törvény (Act Nr. 183 of 2005 about railway traffic, hereinafter: Vtv.);

(3) A vasúti járművek üzembehelyezése engedélyezéséről, időszakos vizsgálatáról és hatósági nyilvántartásáról szóló 31/2010. NFM rendelet (Transportation secretarial decree Nr. 31 of 2010 about the authorisation of the railway vehicles, hereinafter: 31/2010. NFM);

(4) A hagyományos vasúti rendszerek kölcsönös átjárhatóságáról szóló 103/2003. GKM rendelet 4. mellékletével kihirdetett Országos Vasúti Szabályzat I. kötete (National Railway Rules as the Annex Nr. 4 of the Transportation secretarial decree Nr. 103 of 2005, hereinafter: OVSZ);

(5) A vasúti rendszer kölcsönös átjárhatóságáról szóló 30/2010. NFM rendelet (Transportation secretarial decree Nr. 30 of 2010 about the interoperability of the rail system, hereinafter: 30/2010. NFM)

(6) A közlekedési hatóság által végzett vasúti hatósági eljárások igazgatási szolgáltatási díjairól szóló 72/2006. GKM rendelet (Transportation secretarial decree Nr. 72 of 2006 about the fees of the procedures conducted by the transport authority, hereinafter: 72/2006. GKM)

(7) Ex:

First authorisation (only for the first vehicle of the series)
- under 10 t of nominal weight: 291 000 + 1 037 000 + 153 000 = 1 481 000 HUF
- 10-30 t of nominal weight: 291 000 + 1 037 000 + 200 000 = 1 528 000 HUF
- above 30 t of nominal weight: 291 000 + 1 037 000 + 291 000 = 1 619 000 HUF
Additional authorisation, if the vehicle doesn't have a hungarian type-authorisation (only for the first vehicle of the series)
- under 10 t of nominal weight: 346 000 + 153 000 = 499 000 HUF
- 10-30 t of nominal weight: 346 000 + 200 000 = 546 000 HUF
- above 30 t of nominal weight: 346 000 + 291 000 = 637 000 HUF
Additional authorisation, if the vehicle has a hungarian type-authorisation
- under 10 t of nominal weight: 153 000 HUF
- 10-30 t of nominal weight: 200 000 HUF
- above 30 t of nominal weight: 291 000 HUF;

The following roles/actors might be involved in the authorisation procedure for the placing in service of vehicles: applicant, RU, IM, keeper, NoBo, DeBo, NSA, MS, Assessment body (CSM) and others (laboratories, etc.).

Requirement on the actor for the role	Applicant	RU	IM	Keeper	NoBo	DeBo	NSA	MS	Assessment Body	Appeal	Other(*)
									(CSM)	Body	
Detailed reference of the rule(s)	31/2010. NFM 7. § (2); 10. § (5); 11. § (2); 12. § (2); 15. § (4); 22. § (2)	No		No	30/2010. NFM; 31/2010. NFM; ⁽¹⁾ 133/2009. törvény	31/2010. NFM;	Vtv.; ⁽²⁾ 263/2006. Kormány- rendelet	Appointed by law	CSM Regulation 352/2009	Ket. (See Back Info- General, note (1)) 102.§;	No
Language(s) that the rule(s) are available in:	Hungarian				Hungarian	Hungarian	Hungarian	Hungarian	Hungarian	Hungarian	
List of acceptance criteria	No				(1)133/2009. törvény	No(**)			No(**)		
List of actors entitled to act as:	- manufacturer (type authoris.); - owner, (add.aut); - owner, keeper, RU(auth.for pl.in s.); - authorised representative (for all authorisation cases)	N/A	N/A		N/A	- IM (MÁV-TEB Központ), - MÁV VMMSzK - Nemzeti Közlekedési Hatóság Útügyi, Vasúti és Hajózási Hivatal Vasúti Főosztály(***)	Nemzeti Közlekedési Hatóság Útügyi, Vasúti és Hajózási Hivatal Vasúti Főosztály	Nemzeti Közlekedési Hatóság Útügyi, Vasúti és Hajózási Hivatal Vasúti Főosztály	Budapest University of Technology and Economics (BME); Széchenyi István University, Győr	Nemzeti Közlekedé- si Hatóság, Központ (National Transport Authority, Central Office),	

(*) please describe the role and legal basis for the involvement of any "other" actor not mentioned in the Interoperability and Safety Directives
Operator: railway undertaker who is entitled to traffic and to operate the vehicle on the national railway system.

(**) under drafting

(***) The NSA acts as DeBo for the assessment of safety related requirements (to be introduced in the guidance document)

(1) A megfelelőségértékelő szervezetek tevékenységéről szóló 2009. évi 133. törvény (Act Nr. 133 of 2009 about the activity of the conformity assessment bodies, hereinafter: Mtv.)

(2) A Nemzeti Közlekedési Hatóságról szóló 263/2006. Kormányrendelet (Government decree Nr. 263 of 2006 about the National Transport Authority, hereinafter: 263/2006 K.)

Is there a National timeframe		Specify timeframe	Detailed reference of the rule(s)	Language(s) that the rule(s) are available in
For new authorisation case after upgrading/renewal: for MS/NSA to make decision according to Art.20.1 of Directive 2008/57/EC		3 months	Ket. 33. § (1); Vtv. 80/A § (3);	Hungarian
For all authorisation cases where there is a refusal of authorisation according to Art 21.7 of Directive 2008/57/EC:	Request for review of the refusal by the applicant to the NSA			Hungarian
	Maintain of the refusal by the NSA			
	Request for review of the refusal by the applicant to the appeal body – Possible opinion of the Agency if required by the appeal body			
For additional authorisation case of TSI conform vehicles	NSA decision to be taken as soon as possible and not later than, according to Art. 23.7 of 2008/57/EC:	2 months	Vtv. 80/E § (1)	Hungarian
	(a) after submission of the authorisation file			
	(b) after provision of any additional information requested by the national safety authority, where applicable	1 month		
	(c) after provision of the results of any tests requested by the national safety authority, where applicable	1 month		
For additional authorisation case of non-TSI conform vehicle	NSA decision to be taken as soon as possible and not later than, according to Art. 25.5 of 2008/57/EC :	4 months	Vtv. 80/E § (2)	Hungarian
	(a) after submission of the authorisation file			
	(b) after provision of any additional information requested by the national safety authority, where applicable	2 months		
	(c) after provision of the results of any tests requested by the national safety authority, where applicable	2 months		
For all additional authorisation cases: TSI and non-TSI conform vehicles	For tests/checks (including network compatibility) with the identified actors, in particular the IM, to take place not later than, according to Art. 23.6 and Art.25.4 of Directive 2008/57/EC	3 months		Hungarian
	when there is a deemed authorisation according to Art.21.8 of Directive 2008/57/EC	3 months	Vtv. 80/E § (5); 31/2010. NFM 17. § (7)	Hungarian

Reference No in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
1.I	Submit the file describing the project to the MS	Requirements for the content of the file describing the project	31/2010. NFM 22. §; Annex 2 (5)	Hungarian
1.II	Examine: file of the previous authorisation(s) records on maintenance, operation and technical modifications	Requirements for the content of the file of the previous authorisation(s)	31/2010. NFM 11. § (1); 13. § (1); Annex 2 (3) (*)	Hungarian
		Requirements for the content of the records on maintenance, operation and modifications	31/2010. NFM 17 § 3.b and c and 19 § c and d	Hungarian
1.III	Submit the file describing the project to the MS	Requirements for the content of the file describing the project	31/2010. NFM 10. § (3); 13. § (1); Annex 2 (3), items concerning just the changed regulations (*)	Hungarian
1.IV	Is a new authorisation required for the project?	The criteria for a new authorisation	31/2010. NFM Annex 1	Hungarian
(*) - the selection of additional information to be supplied is not specified				

Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
2.I	Request for track access to run on track test, when necessary	Procedure for establishing the conditions to run on track tests	31/2010. NFM Annex 2 (8)	Hungarian
2.II	Compile pre-engagement baseline	Procedure for establishing pre-engagement baseline	No ^(*)	
(*) - common practice				

Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
3.I	Perform verification (including tests and on track tests where necessary) against applicable TSIs and NRs, and establish evidences	The requirements for evidences	31/2010. NFM Annex 2, including the NoBo specifications and DeBo (f.e. MÁV-TEB) test-specification (*)	Hungarian
3.II	Perform verification of conformity to type, and establish evidences	The requirements for evidences	31/2010. NFM 20. §	Hungarian
3.III	Supply evidences on the completion of the relevant assessment of conformity to type	The requirements for evidences	31/2010 NFM 20.1 §	Hungarian
3.IV	Supply evidences on the completion of the relevant assessment of conformity to type	The requirements for evidences	No	
3.V	Apply CSM Regulation for safe integration	The requirements for risk assessment	31/2010. NFM 17. § (5); 19. § (4);	Hungarian
3.VI	Provide certificate(s) from assessment against applicable TSIs requirements to applicant	The requirements for evidences	31/2010. NFM Annex 2.1.15	Hungarian
3.VII	Provide certificate(s) from assessment against applicable NRs requirements to applicant	The requirements for evidences	31/2010. NFM Annex 2, including the DeBo test-specification (*)	Hungarian
3.VIII	Provide safety assessment report to applicant	The requirements for the content of the safety assessment report	31/2010. NFM Annex 2(*)	Hungarian

(*) - the selection of additional information to be supplied is not specified

Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify	Language(s) that the rule(s) are available in
4.1	Decision on the remedial action?	Possible remedial actions: Alternative method, Design modification, Change of the conditions of use/restrictions, and	No(*)	
		The criteria for decision on the remedial action.	No(*)	
No(*) - common practice				

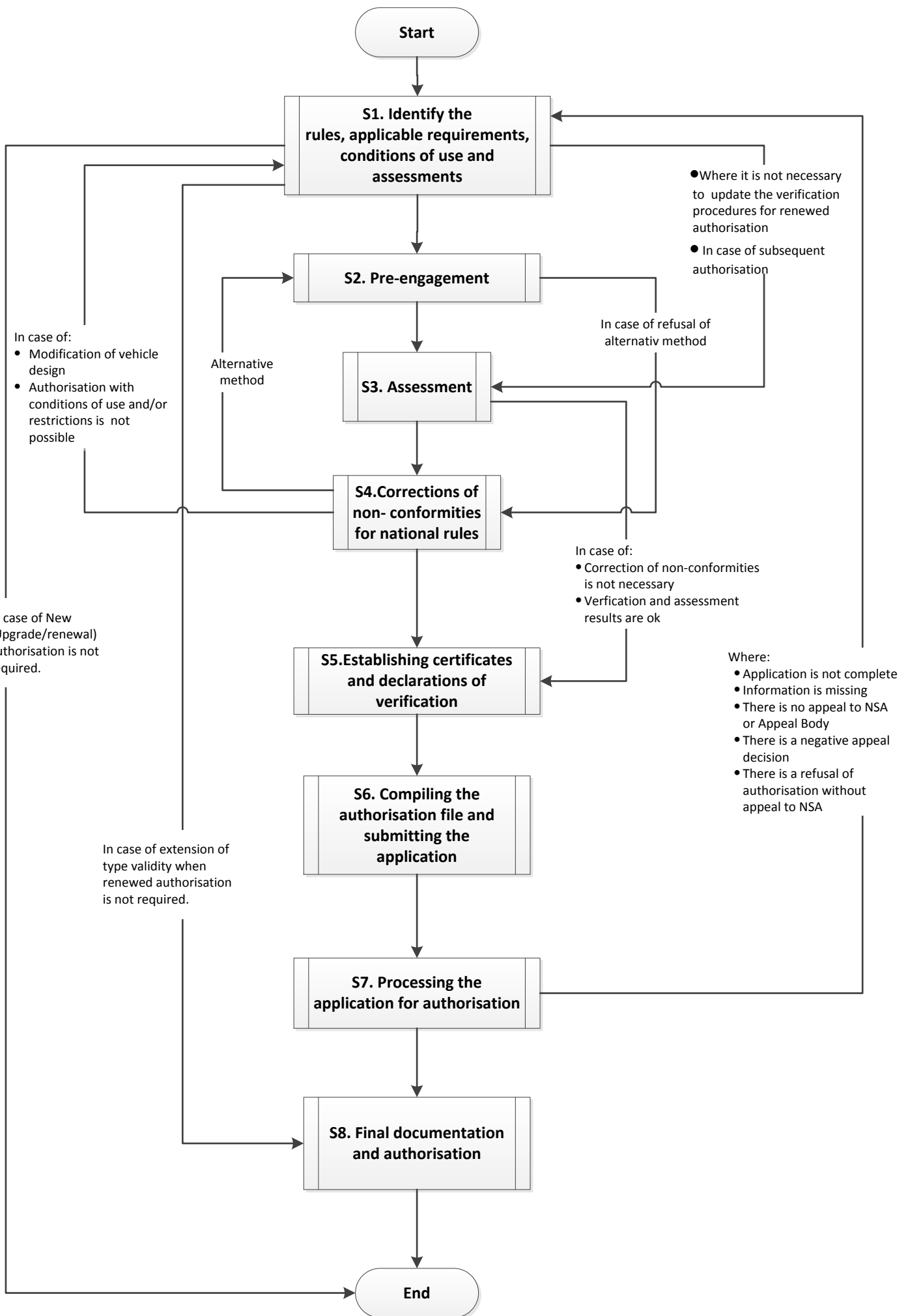
Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
6.I	<ul style="list-style-type: none"> - Make a copy of the initial technical file (previous authorisation(s)) - Collect records on operation and technical modifications 	Requirements for the content of the authorisation file (including the "technical files") : - If there is a clear check list to be adhered to when compiling the authorisation file	31/2010. NFM Annex 2 (*)	Hungarian
		- The accepted documentation for authorisation granted before the implementation of Directive 2008/57/EC.	31/2010 NFM 19.2 §	Hungarian
6.II	Identify the content of the technical file for the DeBo(s) part	Requirements for the content of the authorisation file (including the "technical files") : - If there is a clear check list to be adhered to when compiling the authorisation file	31/2010. NFM Annex 2 (*)	Hungarian
		- The accepted documentation for authorisation granted before the implementation of Directive 2008/57/EC.	31/2010 NFM 19.2 §	Hungarian
6.III	Identify the content of the technical file for the Assessment body (CSM) part	Requirements for the content of the authorisation file (including the "technical files") : - If there is a clear check list to be adhered to when compiling the authorisation file	No	
		- The accepted documentation for authorisation granted before the implementation of Directive 2008/57/EC.	No	
6.IV	Compile the authorisation file	The requirements and the content for the official application	31/2010. NFM Annex 2	Hungarian
6.V	Identify the format and documentation of the application for authorisation: <ul style="list-style-type: none"> -Vehicle type and/or - Vehicle placing in servcie 	The requirements and the content for the official application	No	
6.VI	Submit the official Application for authorisation	Time frame for the submission of the official application from the pre-engagement baseline, if any	No	
(*) - the selection of additional information to be supplied is not specified				

Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
7.I	Acknowledge receipt of application	The requirements for the acknowledgement of the receipt of application	Ket. 29. §	Hungarian
7.II	Declare the vehicle deemed authorised	The requirements for deemed authorisation	Vtv. 80/E (5); 31/2010. NFM 17. § (7)	Hungarian
7.III	Is there an appeal to NSA?	The requirements for appeal to NSA	Ket. 98. § - 107. §	Hungarian
		The requirements for the content of justification of appeal to NSA	Ket. 102. §	Hungarian
		The requirements for launching appeal to the appeal body	Ket. 109. § - 111. §	Hungarian
7.IV	Issuing the authorisation	The requirements for issuing authorisation	Ket.72.1 § 31/2010 NFM 13.4 § (type) and 20.3 (vehicle) (*)	Hungarian
7.V	Identify conditions for archiving the authorisation file	The requirements for NSA archiving the authorisation file	Internal civil service procedure	Hungarian
(*) general requirement				

Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
8.I	Forms for: - authorisation for placing in service of vehicle(s) and - authorisation for type of vehicle	The format of issued authorisation (of vehicle type and of placing in service of vehicle)	No	
8.II	Form for authorisation for type of vehicle	The format of issued authorisation of vehicle type	No	
8.III	Inform ERA on deemed vehicle type authorisation	The procedure for informing the Agency on deemed vehicle type authorisation	No	

Annex A: Master diagram
Process for Authorisation for placing in service of vehicles and/or type of vehicles

Version 1.6.1 - HU



Legal option

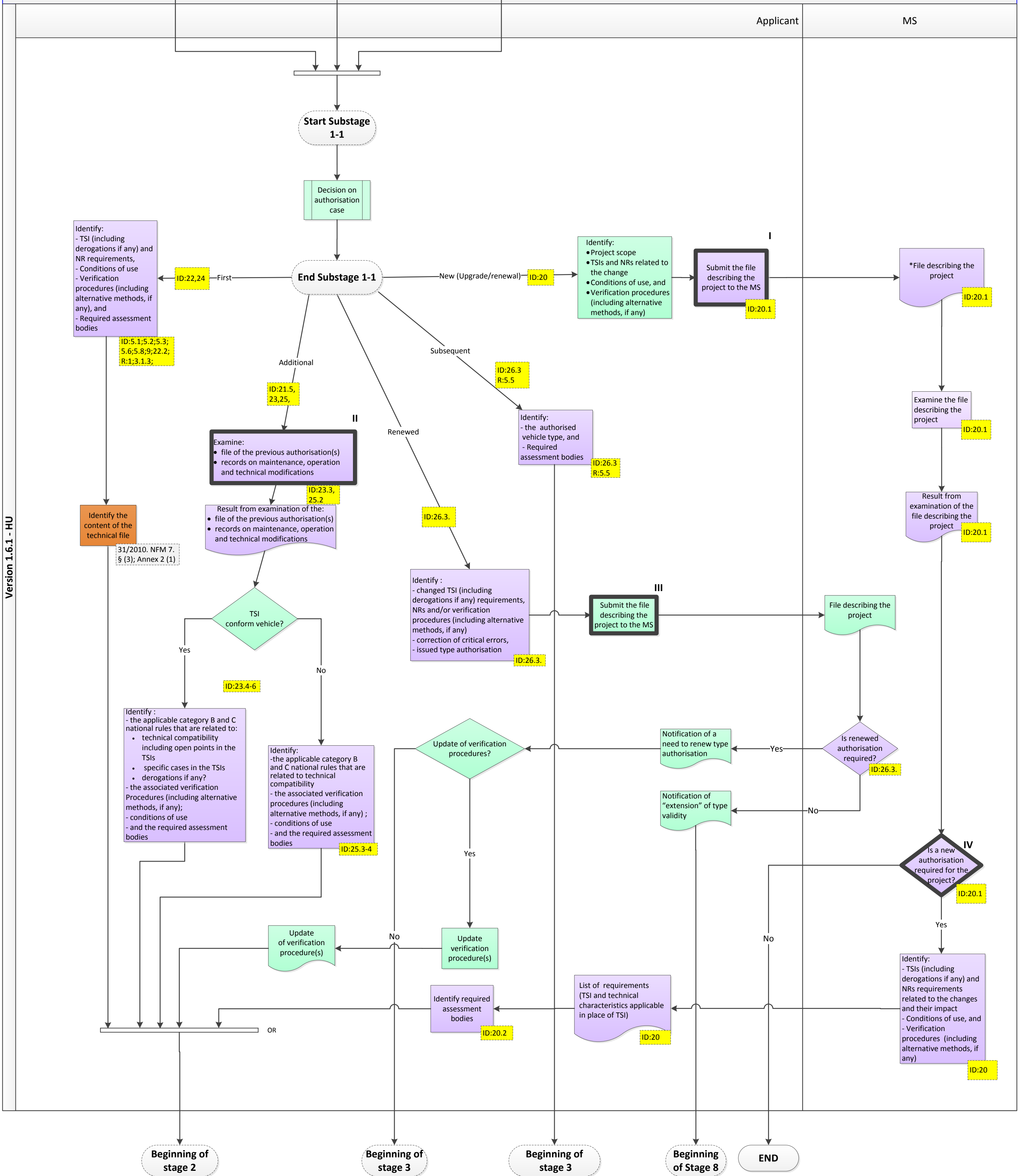
Non mandatory / Common practice

Hungarian Legal Option

End of stage 4
Where:
• there is a modification of vehicle design, or
• authorisation with conditions of use and/or restrictions is not possible

End of stage 7 where:
• the application is not complete, or
• there is a negative appeal decision, or
• there is a refusal of authorisation without appeal

Stage 1 – Identify the rules, applicable requirements, conditions of use and assessments



Non mandatory/
Common practice

Stage 1 - Identify the rules, applicable requirements, conditions of use and assessments – Substage 1: Decide on authorisation case

Applicant

Start
Substage 1-1

- Consult the applicable TSIs,
NRD(s), including the NLF(s) of
the MS(s) where authorisation
is applied for
- Plan

Is authorisation of type
still valid?

Decision on
authorisation case:
Renewed

Decision on
authorisation case:
Subsequent

Is it intended to be
authorised in other MS(s)
than
First MS?

Decision on
authorisation case:
Additional

Is it a New/Changed
basic design of vehicle/
type of vehicle?

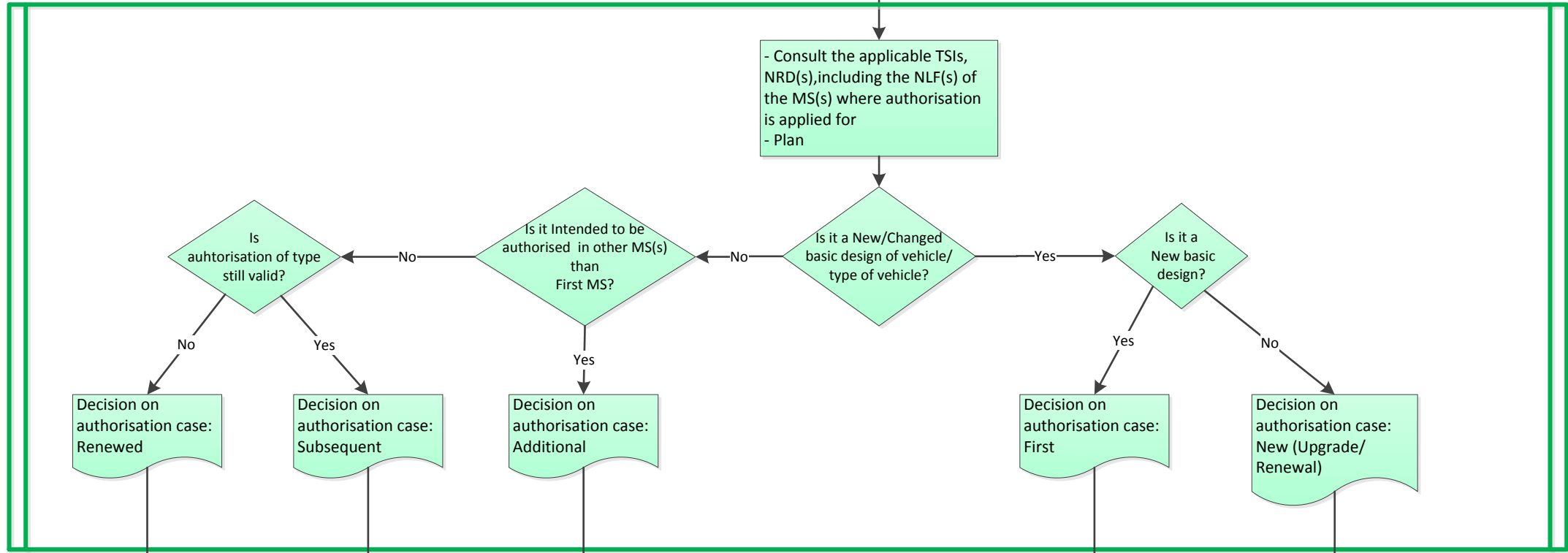
Decision on
authorisation case:
First

Is it a
New basic
design?

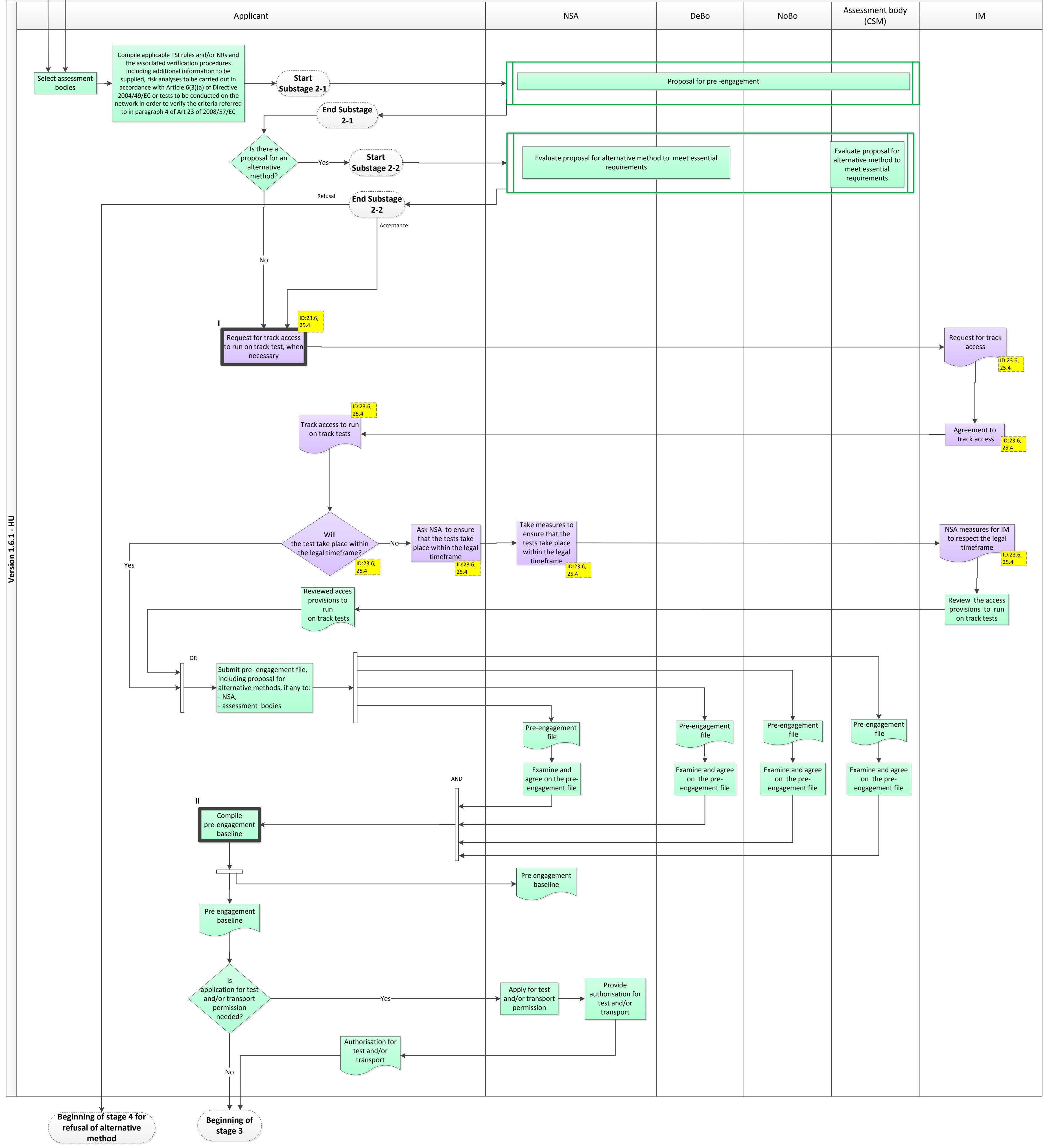
Decision on
authorisation case:
New (Upgrade/
Renewal)

End Substage 1-1

Version 1.6.1 - HU



Stage 2 – Pre-engagement



Version 1.6.1 - HU

End of stage 1
End of stage 4 for alternative method

Select assessment bodies
Compile applicable TSI rules and/or NRs and the associated verification procedures including additional information to be supplied, risk analyses to be carried out in accordance with Article 6(3)(a) of Directive 2004/49/EC or tests to be conducted on the network in order to verify the criteria referred to in paragraph 4 of Art 23 of 2008/57/EC

Start Substage 2-1

End Substage 2-1

Is there a proposal for an alternative method?

Yes

Refusal

Acceptance

No

ID:23.6, 25.4

Request for track access to run on track test, when necessary

ID:23.6, 25.4

Track access to run on track tests

ID:23.6, 25.4

Will the test take place within the legal timeframe?

No

ID:23.6, 25.4

Ask NSA to ensure that the tests take place within the legal timeframe

ID:23.6, 25.4

Take measures to ensure that the tests take place within the legal timeframe

Yes

Reviewed access provisions to run on track tests

Submit pre-engagement file, including proposal for alternative methods, if any to: - NSA, - assessment bodies

Pre-engagement file

Examine and agree on the pre-engagement file

Pre-engagement file

Examine and agree on the pre-engagement file

Pre-engagement file

Examine and agree on the pre-engagement file

Pre-engagement file

Examine and agree on the pre-engagement file

II Compile pre-engagement baseline

AND

Pre engagement baseline

Pre engagement baseline

Is application for test and/or transport permission needed?

Yes

Apply for test and/or transport permission

Provide authorisation for test and/or transport

Authorisation for test and/or transport

Beginning of stage 3

Beginning of stage 4 for refusal of alternative method

Request for track access ID:23.6, 25.4

Agreement to track access ID:23.6, 25.4

NSA measures for IM to respect the legal timeframe ID:23.6, 25.4

Review the access provisions to run on track tests

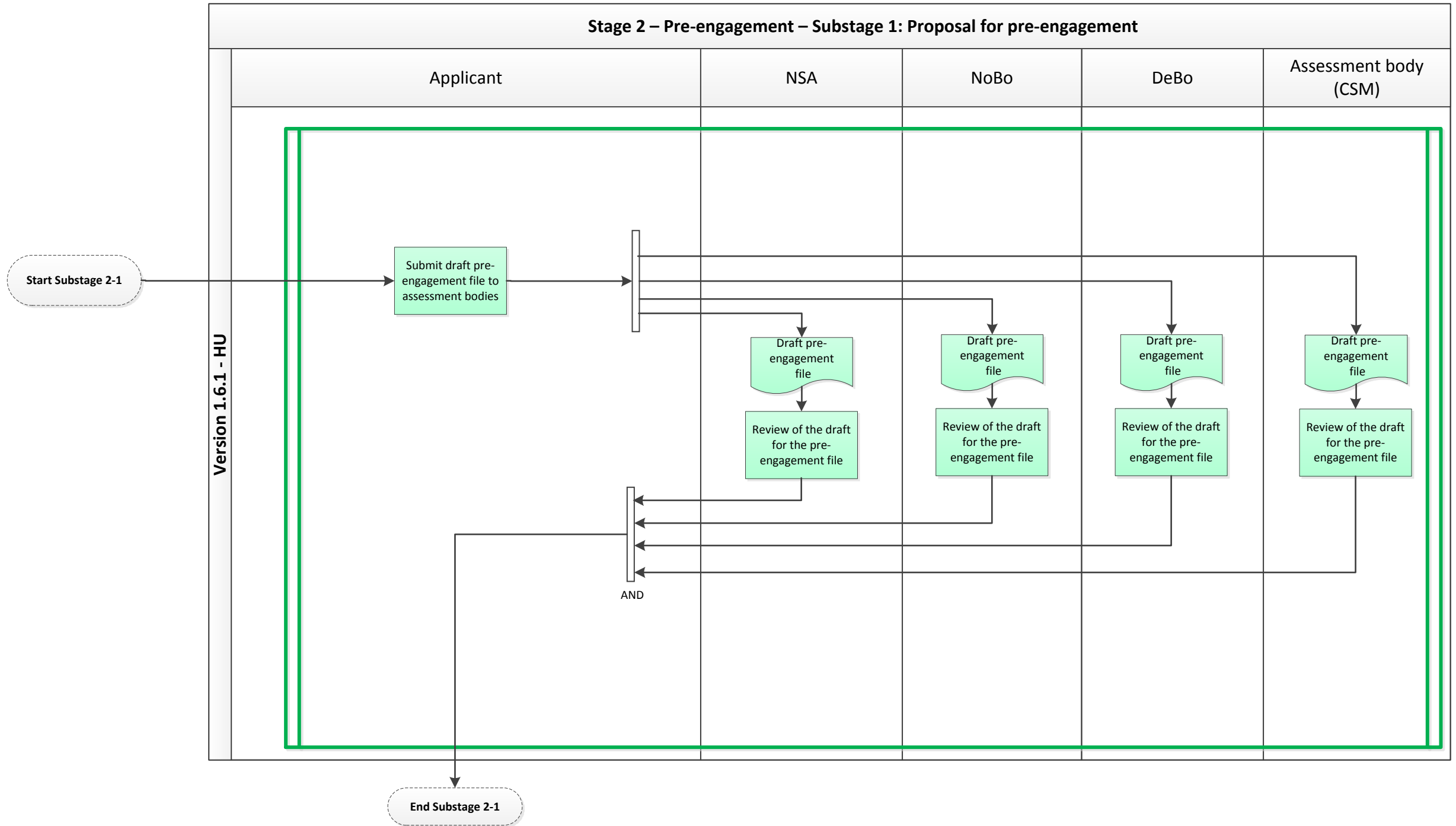
Proposal for pre-engagement

Evaluate proposal for alternative method to meet essential requirements

Evaluate proposal for alternative method to meet essential requirements

Non mandatory/
Common practice

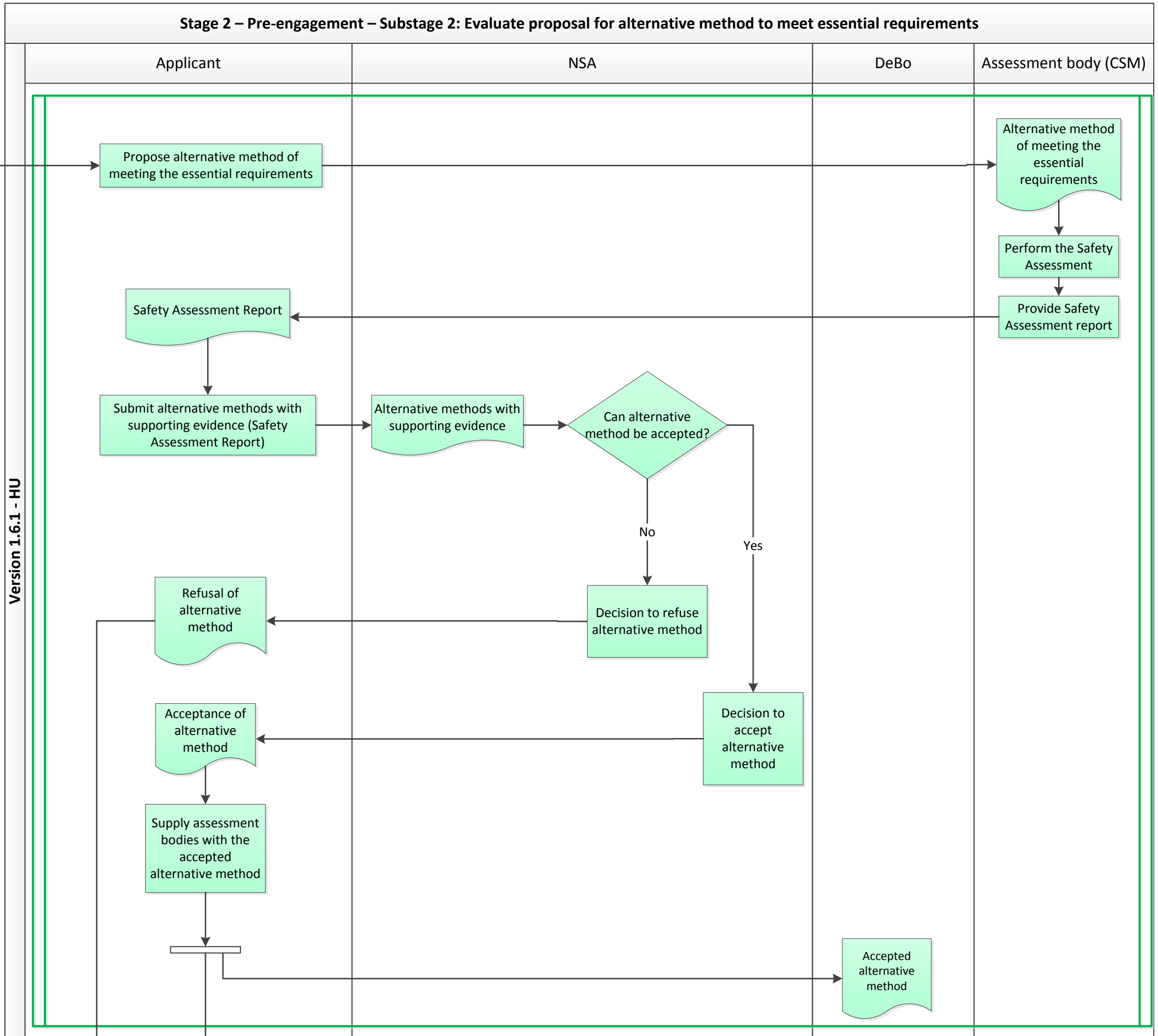
Annex C



Stage 2 – Pre-engagement – Substage 2: Evaluate proposal for alternative method to meet essential requirements

Start
Substage 2-2

Version 1.6.1 - HU



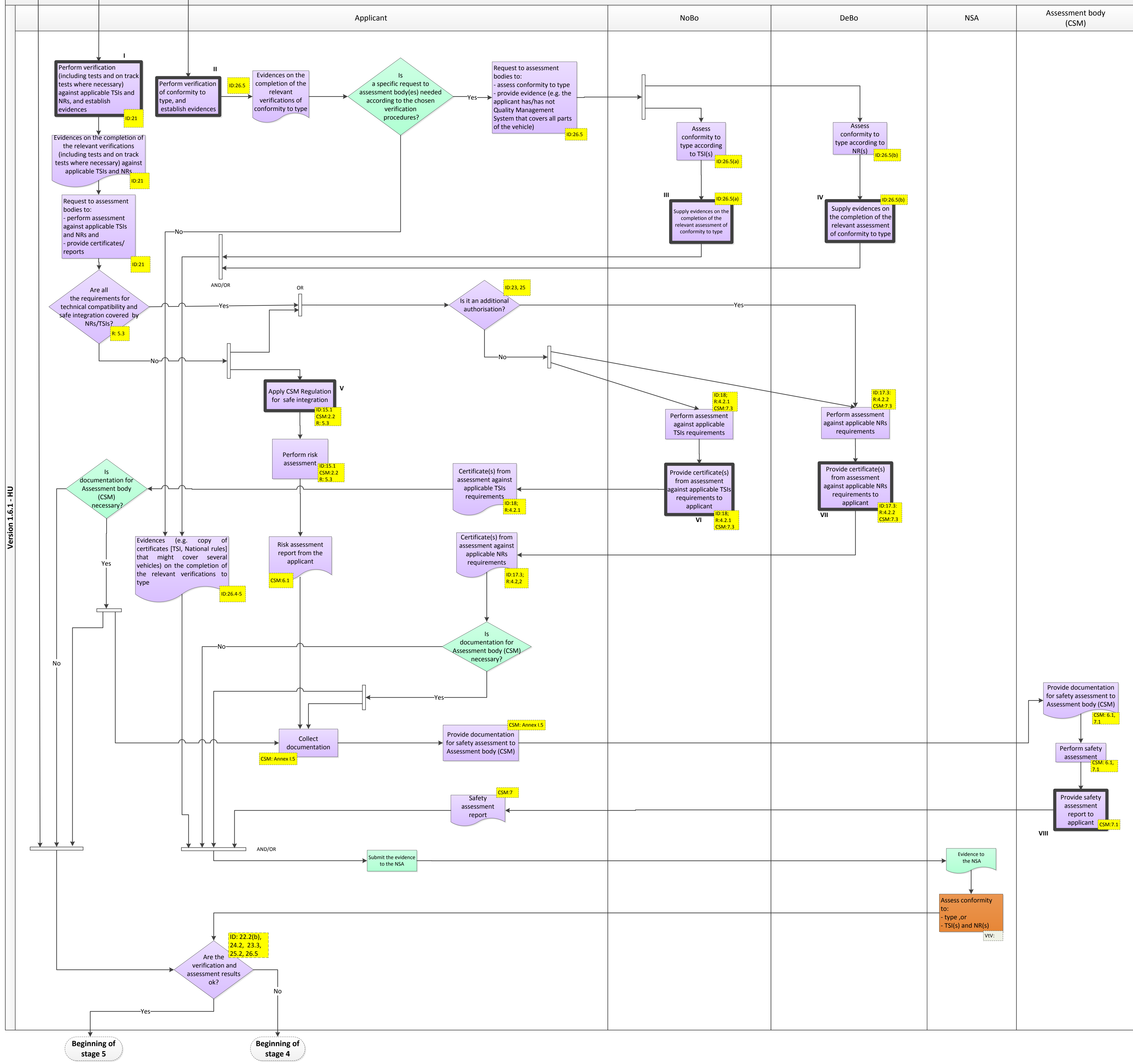
End substage 2-2

Legal option
 Non mandatory/
 Common practice
 Hungarian Legal
 Option

R: Recommendation 2011/217/EU
 ID: Interoperability Directive 2008/57/EC
 CSM: CSM Regulation 352/2009

Annex D

Stage 3 - Assessment



Version 1.6.1 - HU

End of stage 3

Stage 2 for refusal of alternative method

Non mandatory/
Common practice

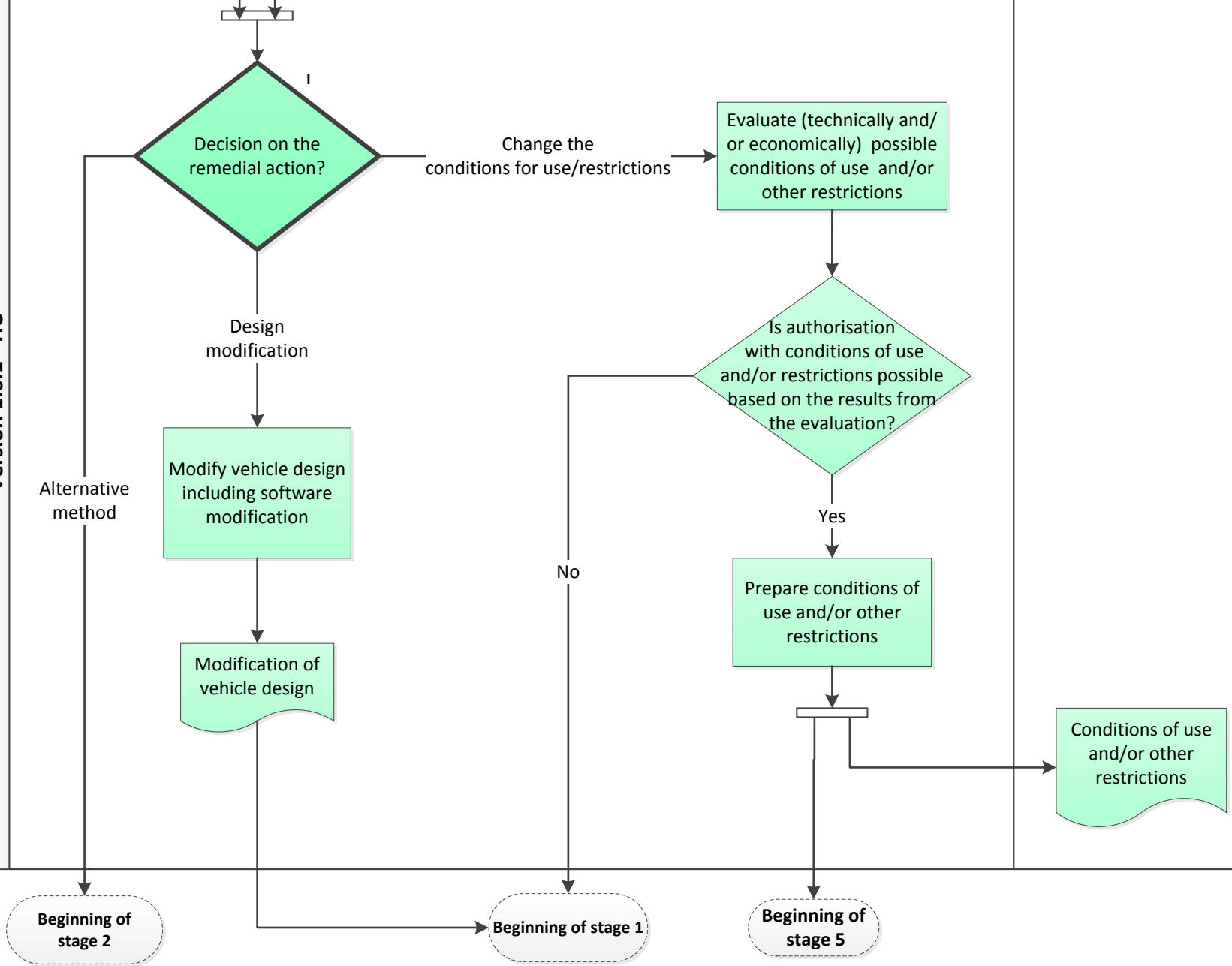
Annex E

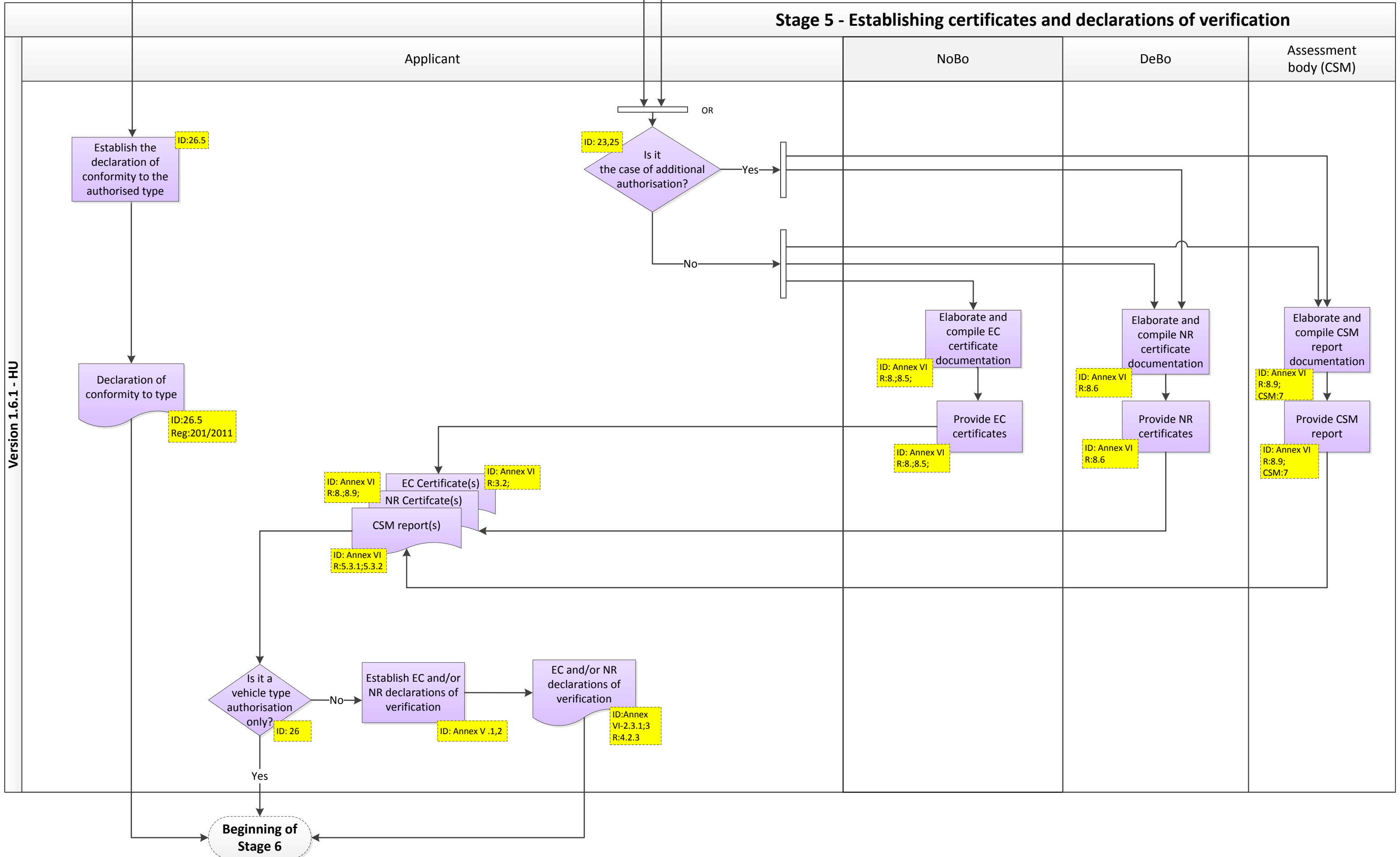
Stage 4 - Correction of non-conformities

Applicant

DeBo

Version 1.6.1 - HU



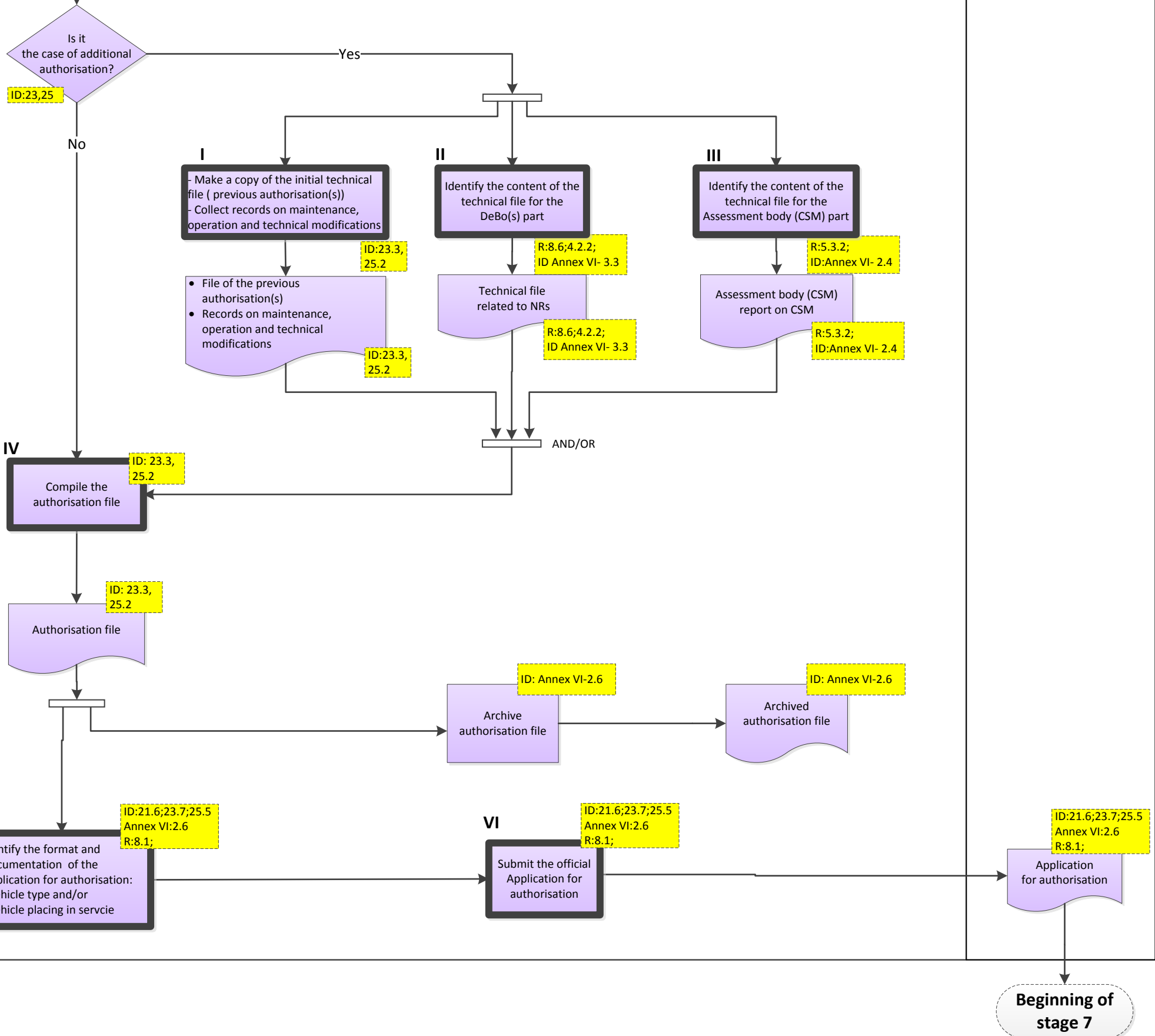


End of stage 5

Stage 6 - Compiling the authorisation file and submitting the application

Applicant

NSA



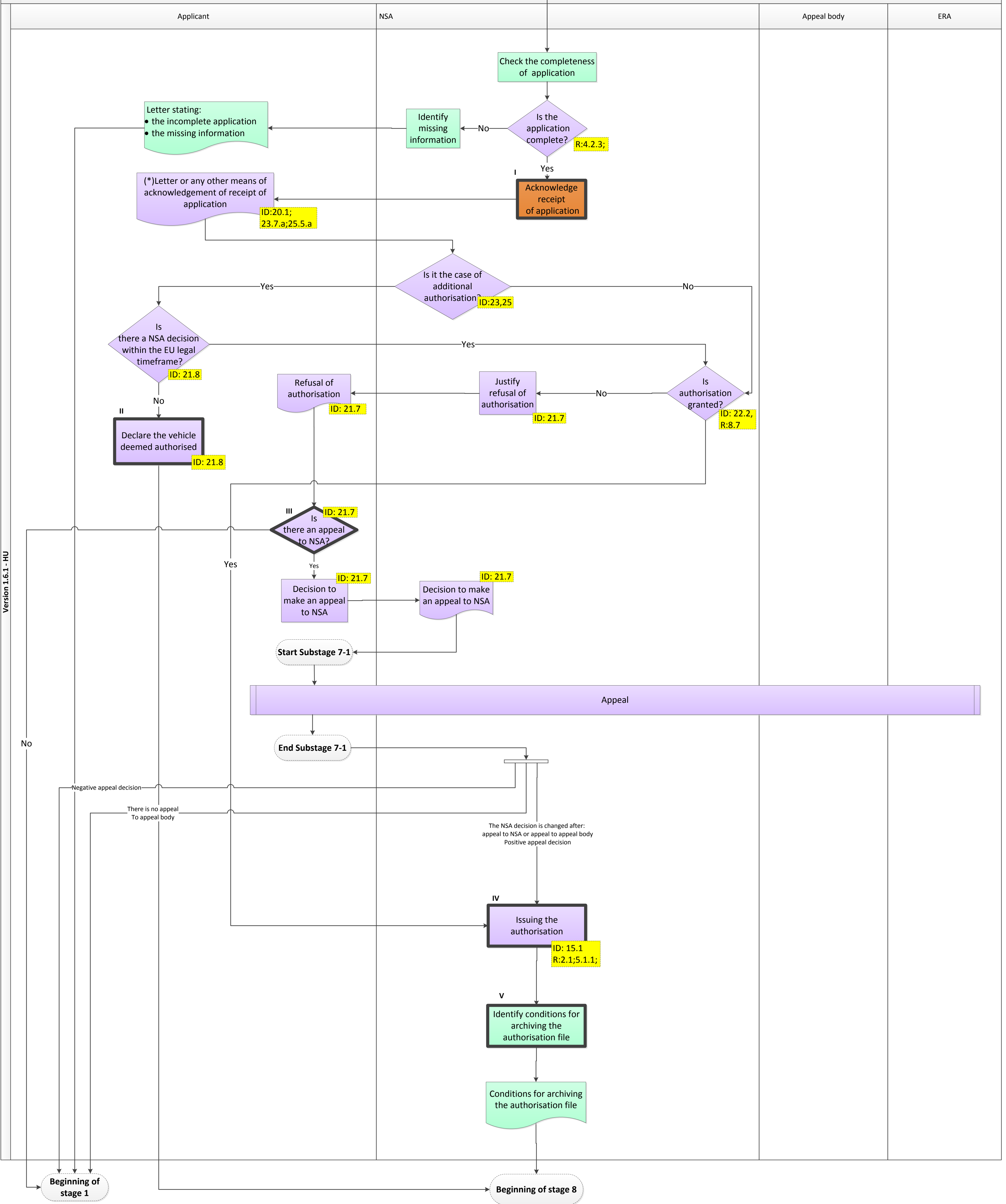
(*The timeline starts from the moment the application has been acknowledged)

Legal option
 Non mandatory/
 Common practice
 Hungarian Legal
 Option

R: Recommendation 2011/217/EU
 ID: Interoperability Directive 2008/57/EC

End of stage 6

Stage 7 - Processing the application for authorisation

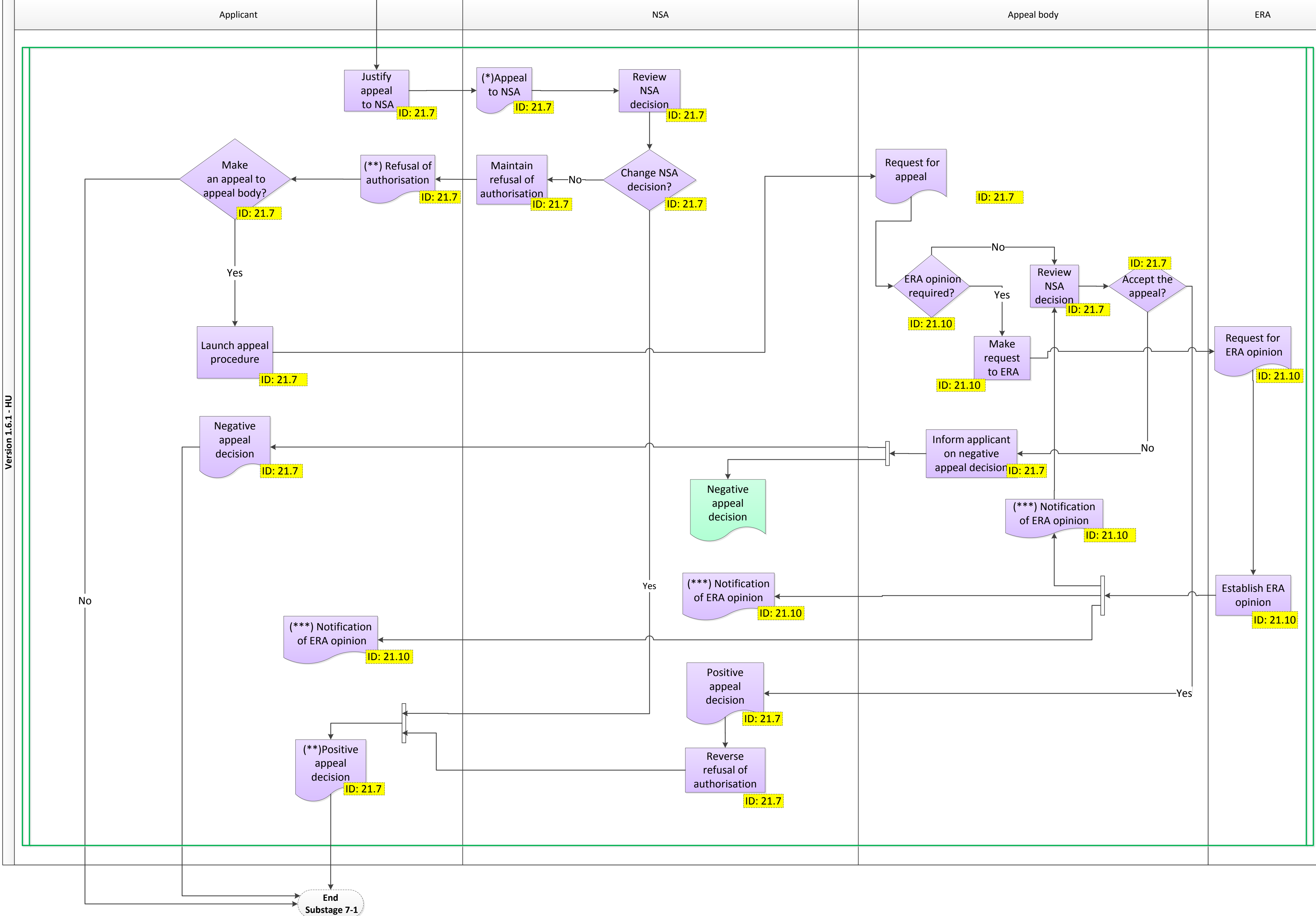


Version 1.6.1 - HU

Legal option
Non mandatory/
Common practice

(*) Timeline starts from the moment the NSA has refused the autorisation
(**) Timeline starts from the receipt of the appeal from the applicant
(***) Timeline starts from the request of the appeal body to ERA for an opinion

Stage 7 - Processing the application for authorisation – Substage 1: Appeal



Legal option

ID: Interoperability Directive 2008/57/EC

Non mandatory/
Common practice

End of stage 7
Deemed
Authorisation

End of stage 7 Issued
Authorisation

End of stage 1 for
extension of type
validity

Stage 8- Final documentation and authorisation

Applicant

NSA

ERA

Establish the forms for:
• authorisation for placing in service of vehicle(s) and
• authorisation for type of vehicle

Is it a vehicle type authorisation only?
ID:26,1-2

Establish the form for authorisation for type of vehicle

I
Forms for:
• authorisation for placing in service of vehicle(s) and
• authorisation for type of vehicle

Form for authorisation for type of vehicle
II

Inform ERA on issued authorisation for type of vehicle
ID:26,7

OR

III
Inform ERA on deemed vehicle type authorisation
ID:26,7

Information on vehicle type authorisation
ID:26,7

Inform the concerned NSA of the deemed vehicle type authorisation

Document on deemed vehicle type authorisation

Confirmation of deemed vehicle type authorisation

Register in ERATV
ID:34

Registration in ERATV
ID:34

END

Version 1.6.1 - HU

