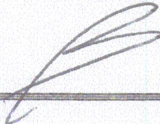
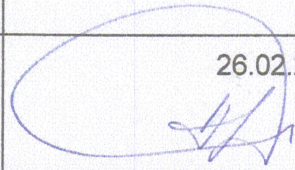


# European Railway Agency

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

|                              | Edited by   | Approved by  |
|------------------------------|---|--|
| <b>Name</b>                  | Ny Tiana TOURNIER   | Andris DUNSKIS   |
| <b>Position</b>              | Cross Acceptance Unit Head of Authorisation Processes Sector                                      | National Safety Authority of Latvia  |
| <b>Date &amp; Signature.</b> | 15.02.2013<br> | 26.02.2013<br> |

### **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 7 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      |
|  | legal option at the national level |

| Contact details for National Legal Framework |  |                     |
|--|--|---------------------|
| Reporting country                            | Organisation Name  | Office phone number |
| Latvia                                       | <b>State Railway Technical Inspectorate</b>                                      | +371 672 343 01     |
| Contact name                                 | E-mail   | Mobile phone number |
| Andris Dunskis                               | <a href="mailto:andris.dunskis@vdzti.gov.lv">andris.dunskis@vdzti.gov.lv</a>     | +371 672 343 01     |
| Jelena Stepanova                             | <a href="mailto:jelena.stepanova@vdzti.gov.lv">jelena.stepanova@vdzti.gov.lv</a> | +371 672 343 10     |

|   | 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   | - General provision: art 43 of Railway Law<br>- Cabinet Regulation No 1210; adopted the 28 December 2010<br>- Placing in service: Cabinet Regulation No 1211; adopted the 28 December 2010 | LV+EN*  |        |
| National guideline (legal status of guideline is Cabinet rules) | Yes                                    | N/A   | - Annex 2 (type of vehicle) of Reg 1211/2010;<br>- Annex 3 (single vehicle) of Reg 1211/2010;  | LV+EN*  |        |
| Additional authorisation required                               | Yes                                    | N/A   | - Clause 3.1, 3.3 and 3.5 of Reg 1211/2010   | LV+EN*  | N/A    |
| Definitions:  | Vehicle type                           | Yes   | detailed   | - Art 5 of Reg 1211/2010 (ref to part 6 of Annex 2)           | LV+EN* |
|   | Time validity of a type                | No  | N/A  |   |        |
|   | Upgrading                              | Yes   | detailed   | - Art 5 of Reg 1211/2010 ( ref to basic parameter of Annex 1) | LV+EN* |
|   | Renewal                                | Yes   | detailed   | - Art 80 of Reg 1211/2010 (ref to Annex 4)                    | LV+EN* |
| Specific national arrangements for on track tests               | Yes                                    | detailed                                      | - Art 24.3, 66.3 , 67, 68 of Reg 1211/2010   | LV+EN*  |        |
| Coordination with other MSs                                     | Procedure for simultaneous application | No  |  |   |        |

| Fees  | Is there (Yes/No) | Amount (Euro) | 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                         | No                |               |                                |                                |   |
| For refusal of authorisation                      | No                |               |                                |                                |   |
| For the appeal procedure to NSA                   | No                |               |                                |                                |   |
| For the appeal procedure to Appeal Body           | No                |               |                                |                                |   |
| For the NSA acting as assessment body (DeBo/CSM)  | No                |               |                                |                                |   |
| For NSA issuing certificates (DeBo/CSM)           | No                |               |                                |                                |   |

\*) EN version not legally binding

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,

| Requirement on the actor for the role          | Applicant  | IM                      | NoBo                       | DeBo                       | NSA                                  | MS   | Assessment Body (CSM)                | Appeal body in place of NSA  | Appeal Body                |
|--|--|-------------------------|----------------------------|----------------------------|--------------------------------------|--|--------------------------------------|------------------------------|----------------------------|
| Detailed reference of the rule(s)              | Art 5 of Reg 1211/2010   | Art 27 of Reg 1211/2010 | Chapter 2 of Reg 1211/2010 | Art 9 of Reg 1211/2010     | Art 33 of Railway law                | Stage 1: Art 5 of Reg 1211/2010; Stage 8: Art 40 of Reg 1211/2010              | EC regulation 352/2009               | Art 38;39 of Reg 1211/2010   | Art 38;39 of Reg 1211/2010 |
| Language(s) that the rule(s) are available in: | LV+EN*   | LV+EN*                  | LV+EN*                     | LV+EN*                     | LV+EN*                               | LV+EN*   | All EU languages                     | LV+EN*                       | LV+EN*                     |
| List of acceptance criteria                    |  |                         | Chapter 5 of Reg 1210/2010 | Chapter 5 of Reg 1210/2011 |                                      |  | Annex II EC Regulation 352/2009      |                              |                            |
| List of actors entitled to act as:             | <ul style="list-style-type: none"> <li>- Manufacturer of the rolling stock;</li> <li>- Entity carrying out the upgrade;</li> <li>- Contracting entity ordering the rolling stock construction or upgrading;</li> <li>- Authorised representative of above mentioned</li> </ul> | N/A                     | N/A                        | - Baltic testing center    | State Railway Technical Inspectorate | Stage1: State Railway Technical Inspectorate<br>Stage 8: Ministry of Transport | Anyone who fulfills the requirements | State Railway Administration | Administrative Court       |
| *) EN version not legally binding              |  |                         |                            |                            |                                      |  |                                      |                              |                            |

| 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 | 1 month  | Administrative Procedure Law art 64 (1); | LV  |  |
| 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  | Not applicable                           | LV+EN*  |  |
|   | Maintain of the refusal by the NSA   | Not applicable                           |   |  |
|   | Request for review of the refusal by the applicant to the appeal body – Possible opinion of the Agency if required by the appeal body  | from 1 to 2 months                       |   | - Reg 1211/2010 art 38,39;<br>- Administrative Procedure Law art 64 (1); |
| 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:<br>(a) after submission of the authorisation file                                       | 2 months                                 | LV+EN*  |  |
|   | (b) after provision of any additional information requested by the national safety authority, where applicable   | 1 month                                  |   | Reg 1211/2010 art 34.2   |
|   | (c) after provision of the results of any tests requested by the national safety authority, where applicable   | 1 month                                  |   | Reg 1211/2010 art 34.2   |
| 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 :<br>(a) after submission of the authorisation file                                      | 1 month                                  | LV+EN*  |  |
|   | (b) after provision of any additional information requested by the national safety authority, where applicable   | from 2 to 4 months                       | Reg 1211/2010 art 35                          |  |
|   | (c) after provision of the results of any tests requested by the national safety authority, where applicable   | from 2 to 4 months                       | Reg 1211/2010 art 35                          | LV+EN*   |
| 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                                 | Reg 1211/2010 art 29                          | LV+EN*   |
|   | when there is a deemed authorisation according to Art.21.8 of Directive 2008/57/EC   | 3 months                                 | Reg 1211/2010 art 40                          | LV+EN*   |
| *) EN version not legally binding   |  |  |   |  |

| 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                         | Reg 1211/2010 art 5 (ref to basic parameter of Annex 2)   | LV+EN*  |
| 1.II                              | Examine:<br>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)               | Reg 1211/2010 art 52, 53 for TSI conform vehicle;<br>Reg 1211/2010 art 62, 63 for non-TSI conform vehicles; | LV+EN*  |
|                                   |   | Requirements for the content of the records on maintenance, operation and modifications | Reg 1211/2010 art 52, 53 for TSI conform vehicle;<br>Reg 1211/2010 art 62, 63 for non-TSI conform vehicles; | LV+EN*  |
| 1.III                             | Submit the file describing the project to the MS  | Requirements for the content of the file describing the project                         | Reg 1211/2010 art 41, 42, 43, 44  | LV+EN*  |
| 1.IV                              | Is a new authorisation required for the project?  | The criteria for a new authorisation  | Reg 1211/2010 art 5 (ref to basic parameter of Annex 2)   | LV+EN*  |
| *) EN version not legally binding |   |   |   |   |

| 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.II                              | Request for track access to run on track test, when necessary | Procedure for establishing the conditions to run on track tests | Reg 1211/2010, art 27, 28, 29, 30                                   | LV+EN*  |
| 2.II                              | Compile pre-engagement baseline                               | Procedure for establishing pre-engagement baseline              | No  |   |
| *) EN version not legally binding |   |   |   |   |

| 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                                   | Reg 1211/2010 art 18, 19  | LV+EN*  |
| 3.II                       | Perform verification of conformity to type, and establish evidences  | The requirements for evidences                                   | Reg 1211/2010 art 73,   | LV  |
| 3.III                      | Supply evidences on the completion of the relevant assessment of conformity to type  | The requirements for evidences                                   | Reg 1211/2010 art 23, 23'   | LV (23')<br>LV+EN* (23)                       |
| 3.IV                       | Supply evidences on the completion of the relevant assessment of conformity to type  | The requirements for evidences                                   | Reg 1211/2010 art 23, 23'   | LV (23')<br>LV+EN* (23)                       |
| 3.V                        | Apply CSM Regulation for safe integration  | The requirements for risk assessment                             | Reg 1211/2010 art 49 (2.2), 56, 60, 65                              | LV+EN*  |
| 3.VI                       | Provide certificate(s) from assessment against applicable TSIs requirements to applicant   | The requirements for evidences                                   | Reg 1211/2010 art 22, 22', 22'', 22'''                              | LV (22';22'';22''')<br>LV+EN* (22)            |
| 3.VII                      | Provide certificate(s) from assessment against applicable NRs requirements to applicant  | The requirements for evidences                                   | Reg 1211/2010 art 22, 22', 22'', 22'''                              | LV (22';22'';22''')<br>LV+EN* (22)            |
| 3.VIII                     | Provide safety assessment report to applicant  | The requirements for the content of the safety assessment report | EU Reg 352/2009   | All EU languages                              |

\*) EN version not legally binding



| 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   |   |
|                            |                                  |   |  |   |

| 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"> <li>- Make a copy of the initial technical file (previous authorisation(s))</li> <li>- Collect records on operation and technical modifications</li> </ul> | Requirements for the content of the authorisation file (including the "technical files") :<br>- If there is a clear check list to be adhered to when compiling the authorisation file | - Reg 1211/2010 art 54, 55 and 56 (TSI conform veh);<br>- Reg 1211/2010 art 62, 63(non-TSI conform veh) | LV (art 54;62;63);<br>LV+EN* (55;56)          |
|                            |   | - The accepted documentation for authorisation granted before the implementation of Directive 2008/57/EC.   | - Reg 1211/2010 art 62, 63(non-TSI conform veh)   | LV  |
| 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") :<br>- If there is a clear check list to be adhered to when compiling the authorisation file | - Reg 1211/2010 art 62(4) (non-TSI conform veh)   | LV  |
|                            |   | - The accepted documentation for authorisation granted before the implementation of Directive 2008/57/EC.   | - Reg 1211/2010 art 62(4) (non-TSI conform veh)   | LV  |
| 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") :<br>- 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   | No  |   |
| 6.V                        | Identify the format and documentation of the application for authorisation:<br><ul style="list-style-type: none"> <li>-Vehicle type and/or</li> <li>- Vehicle placing in service</li> </ul>   | 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  |   |

| 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 | Art 64 of Administrativ procedure law for stamps and Art 17 28.06.2005 of Cabinet regulation Nr.473 "Procedures for the Preparation, Drawing Up, Storage and Circulation of Electronic Documents in State and Local Government Institutions, and the Procedures by which Electronic Documents are Circulated between State and Local Government Institutions, or Between These Institutions and Natural Persons and Legal Persons" for electronic signature | LV+EN*  |
| 7.II                       | Declare the vehicle deemed authorised                    | The requirements for deemed authorisation                              | No  |   |
| 7.III                      | Is there an appeal to NSA?                               | The requirements for appeal to NSA                                     | No  |   |
|                            |  | The requirements for the content of justification of appeal to NSA     | No  |   |
|                            |  | The requirements for launching appeal to the appeal body               | No  |   |
| 7.IV                       | Issuing the authorisation                                | The requirements for issuing authorisation                             | No  |   |
| 7.V                        | Identify conditions for archiving the authorisation file | The requirements for NSA archiving the authorisation file              | NSA should archive all the documents and the authorisation according to Archives law and 06.11.2012. Cabinet regulation Nr.748 about the management of documents and archives   | LV+EN*  |

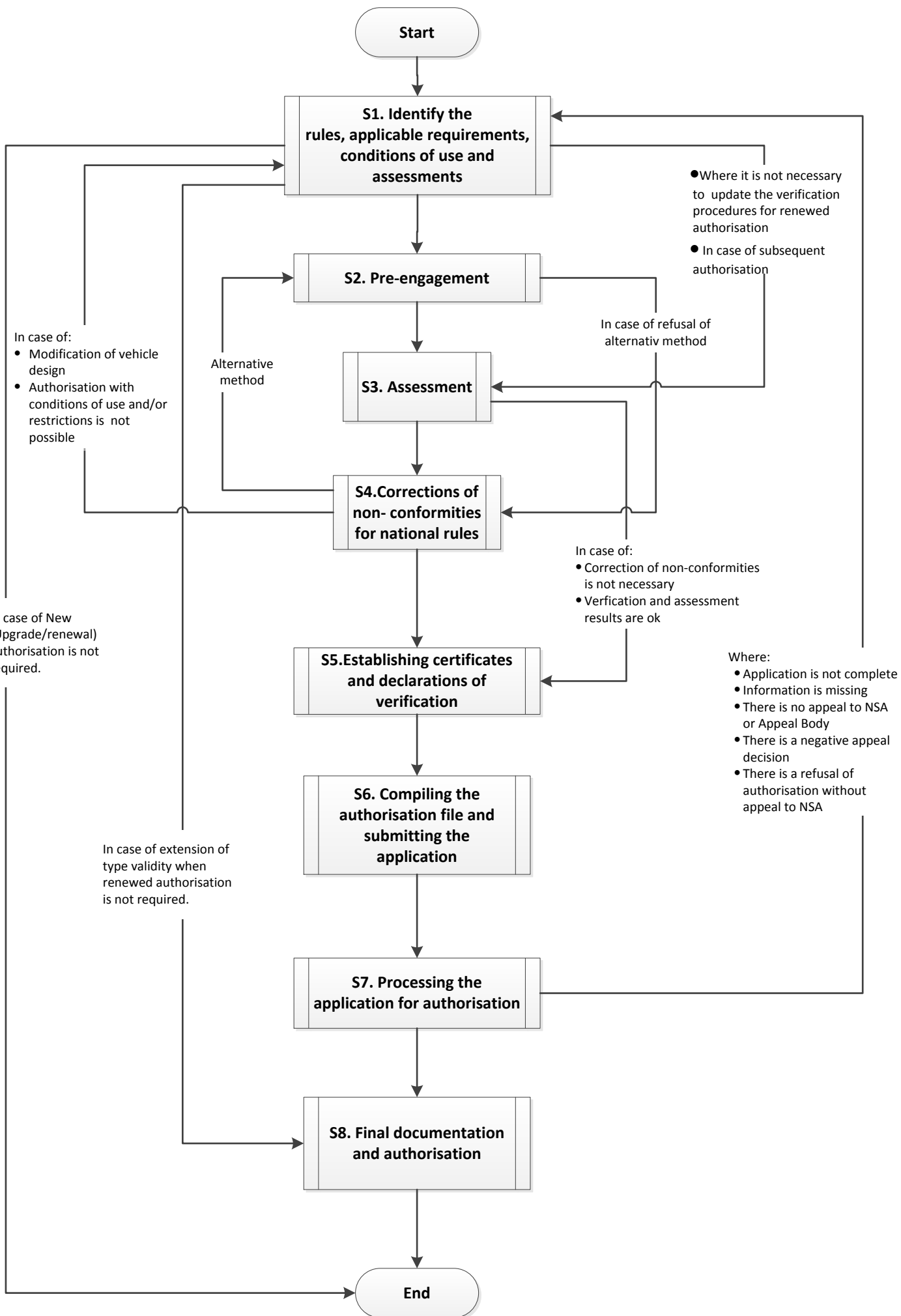
\*) EN version not legally binding

| 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:<br>- authorisation for placing in service of vehicle(s) and<br>- authorisation for type of vehicle | The format of issued authorisation (of vehicle type and of placing in service of vehicle) | Reg 1211/2010 Annex 2 (type) and Annex 3 (vehicle)                  | LV (Annex 2) ;<br>LV+EN* (Annex 3)            |
| 8.II                       | Form for authorisation for type of vehicle  | The format of issued authorisation of vehicle type  | Reg 1211/2010 Annex 2 (type)  | LV  |
| 8.III                      | Inform ERA on deemed vehicle type authorisation   | The procedure for informing the Agency on deemed vehicle type authorisation               | Reg 1211/2010 art 40  | LV+EN*  |

\*) EN version not legally binding

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

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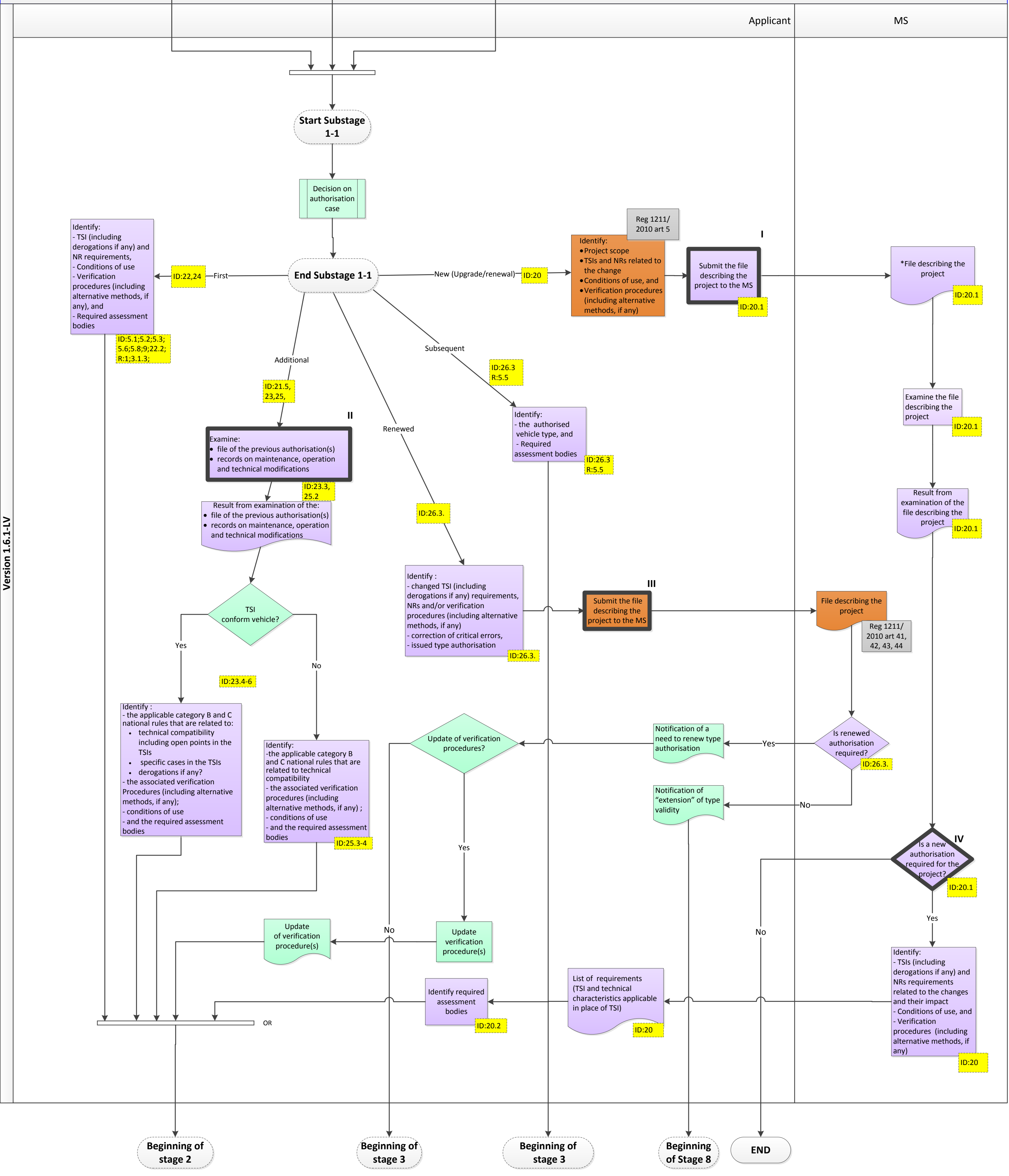
R: Recommendation 2011/217/EU  
 ID: Interoperability Directive 2008/57/EC  
 CSM: CSM Regulation 352/2009  
 Reg 1211/2010: Cabinet Regulation No 1211

**Legal option**  
**LV Legal option**  
 Non mandatory /  
 Common practice

**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**



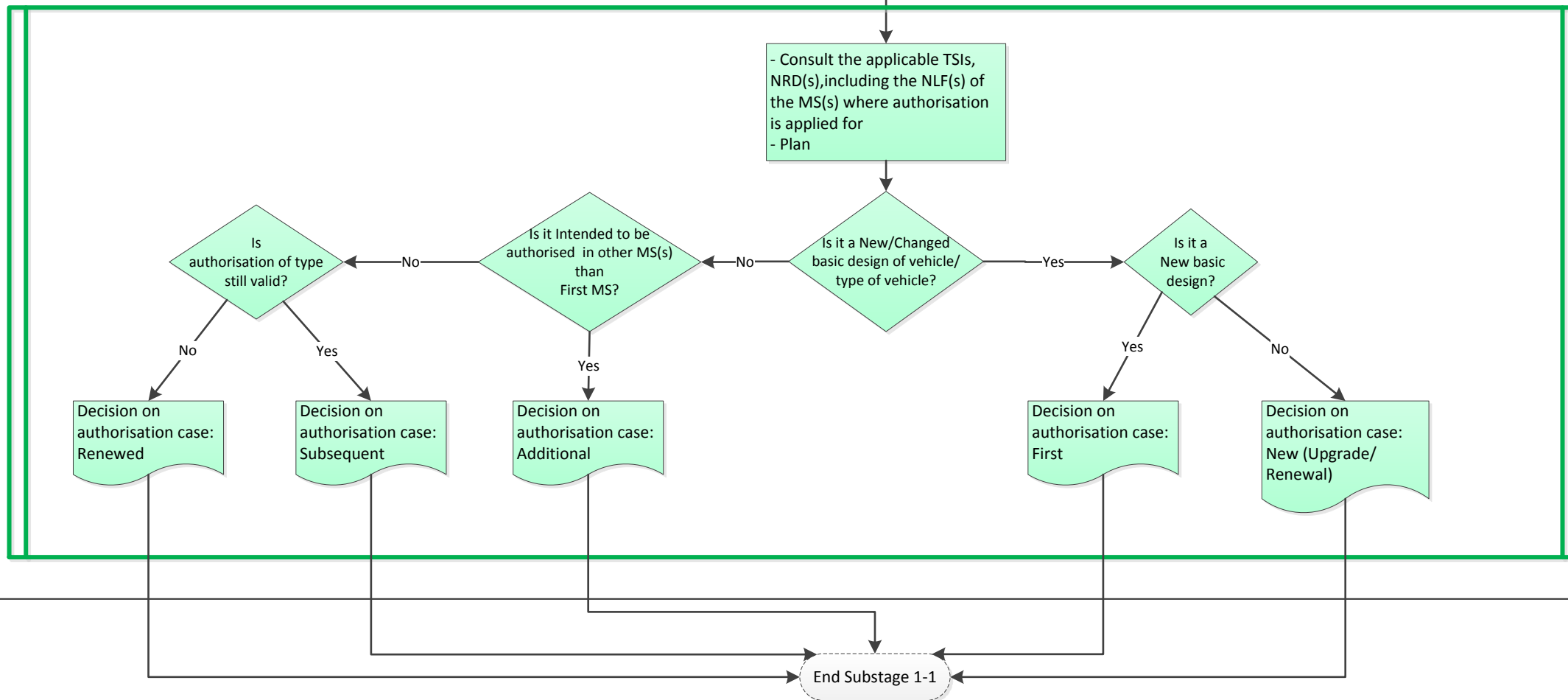
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Non mandatory/  
Common practice

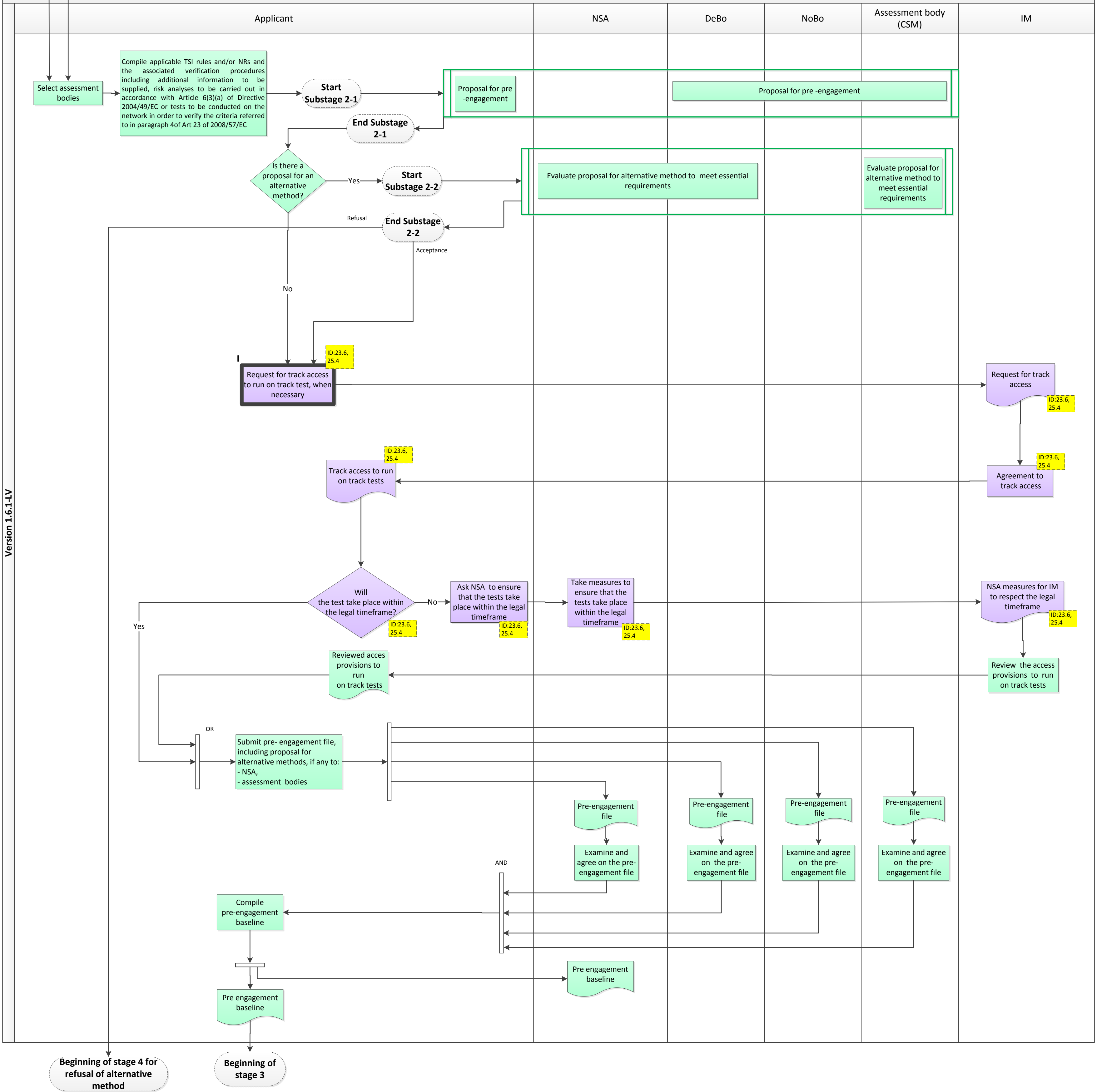
## Stage 1 - Identify the rules, applicable requirements, conditions of use and assessments – Substage 1: Decide on authorisation case

Applicant

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### Stage 2 – Pre-engagement



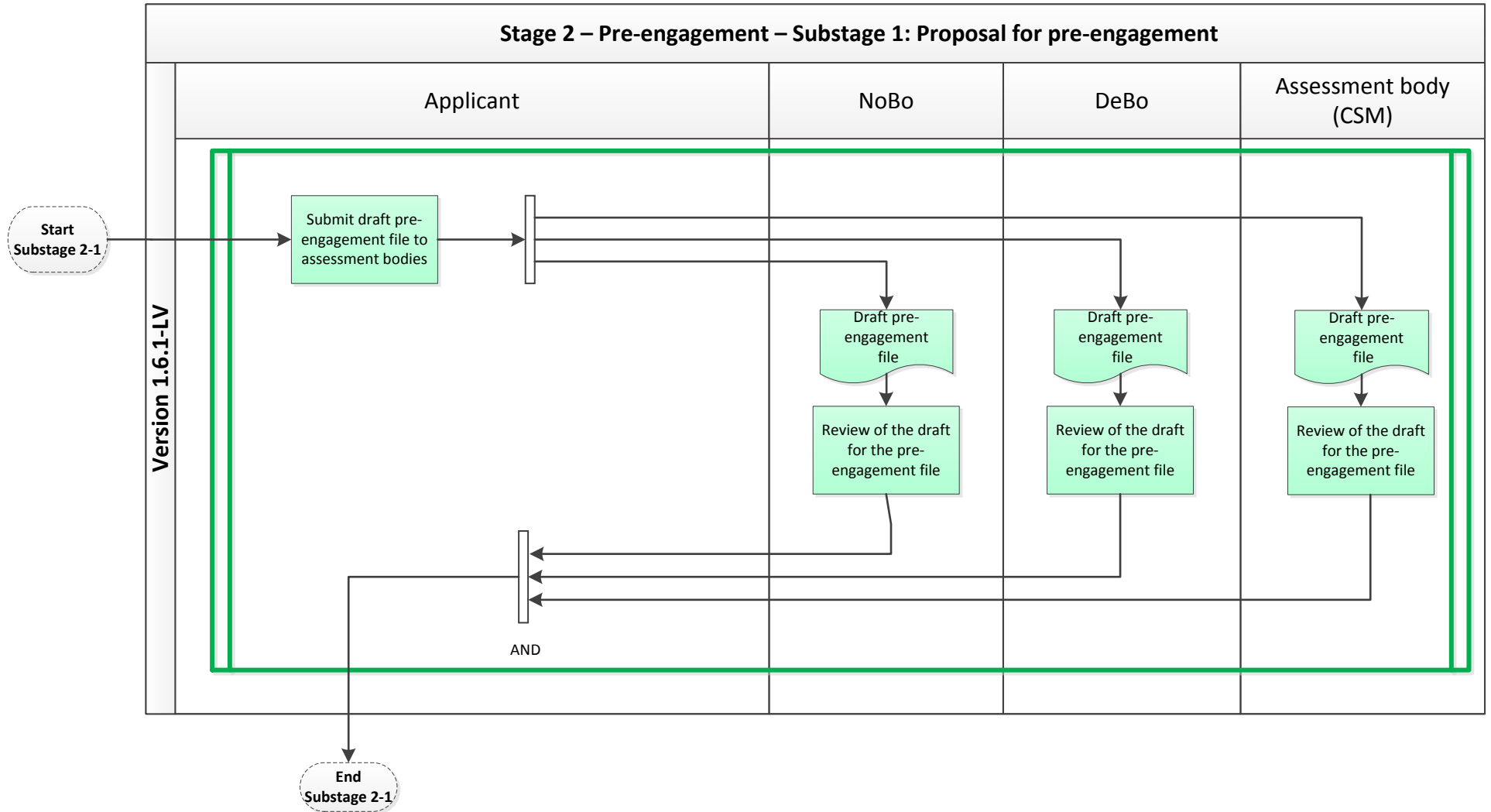
Version 1.6.1-LV



Non mandatory/  
Common practice

# Annex C

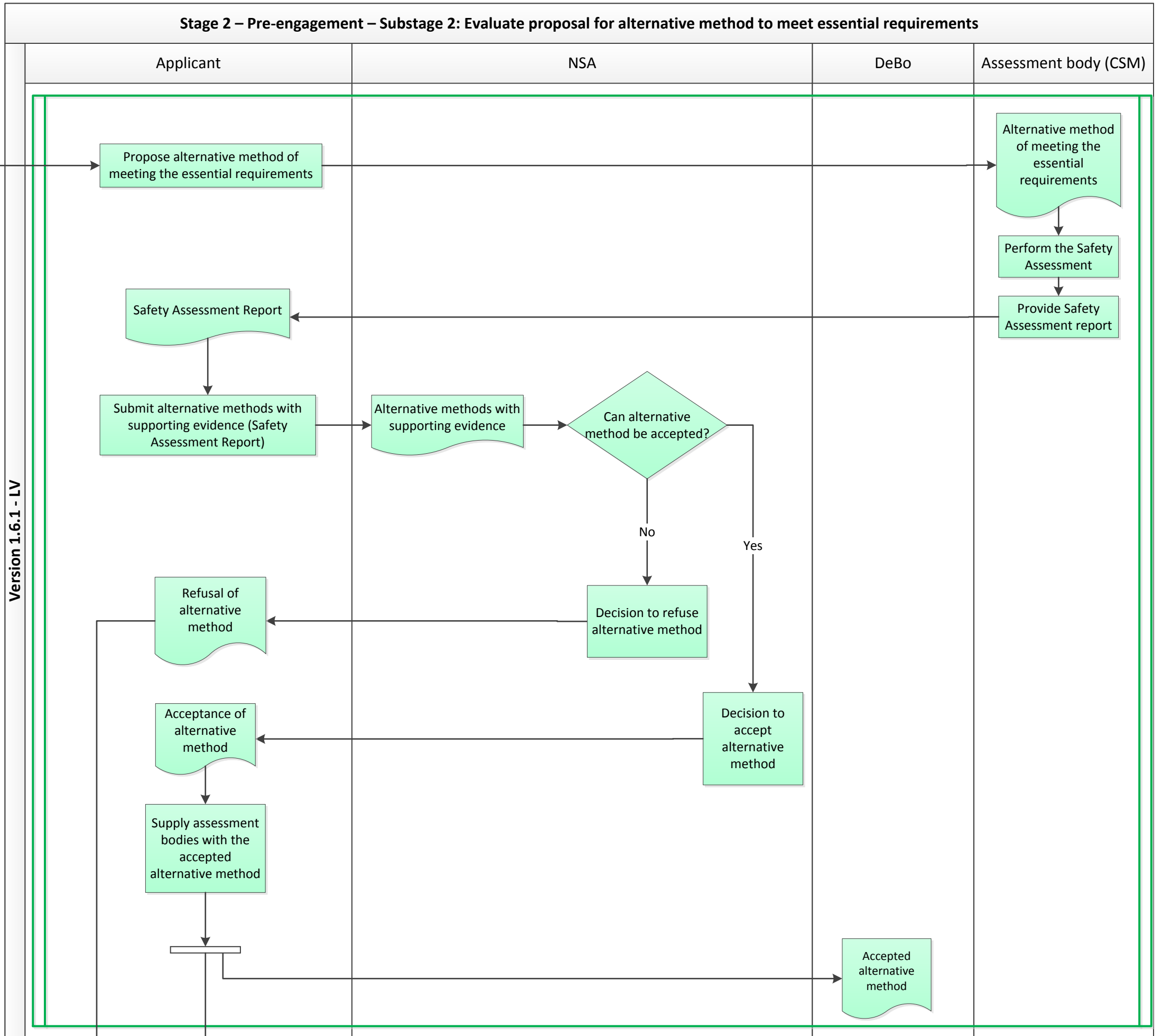
## Stage 2 – Pre-engagement – Substage 1: Proposal for pre-engagement



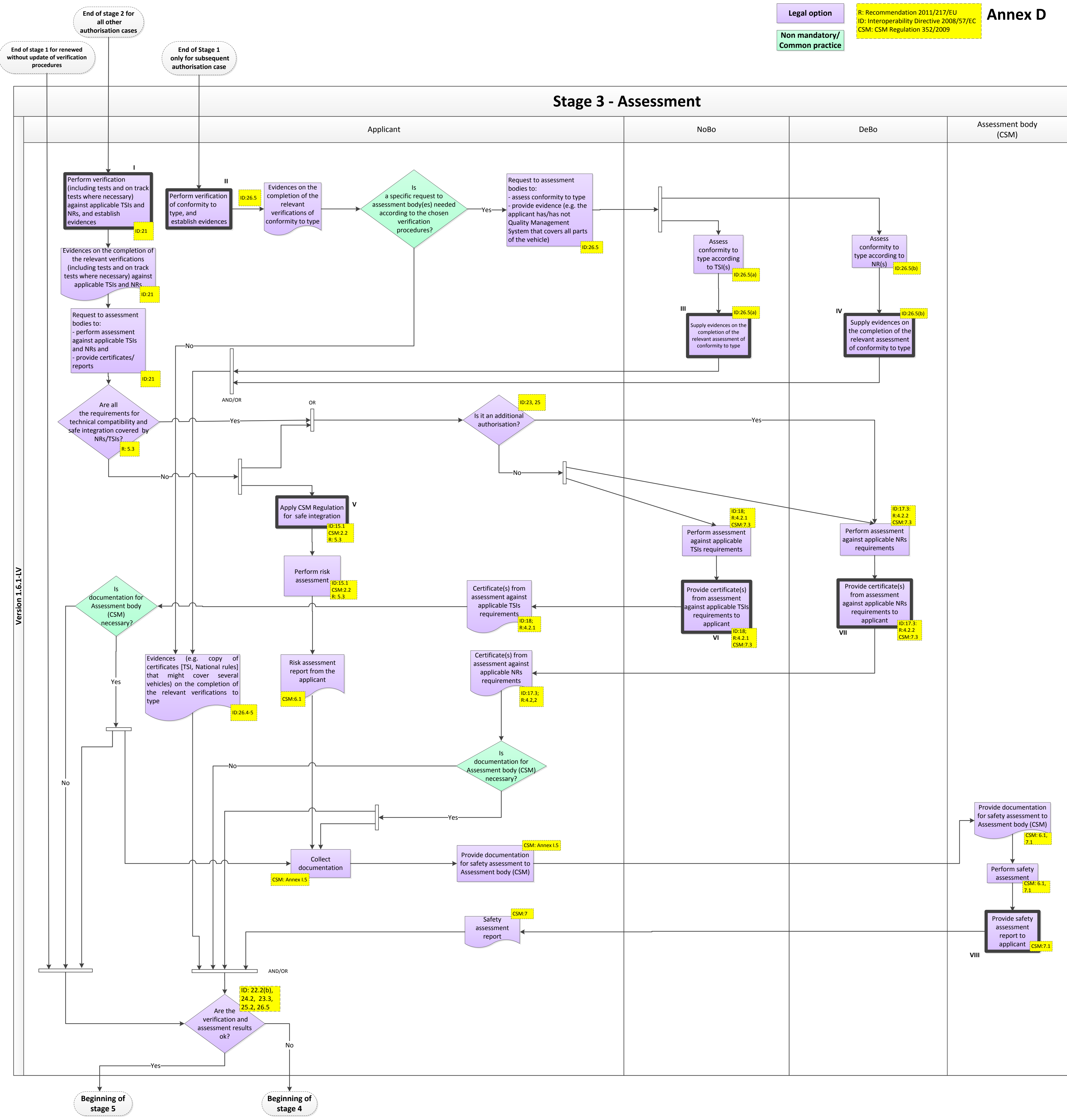
Stage 2 – Pre-engagement – Substage 2: Evaluate proposal for alternative method to meet essential requirements

Start  
Substage 2-2

Version 1.6.1 - LV



End substage 2-2



End of stage 3

Stage 2 for refusal of alternative method

Non mandatory/  
Common practice

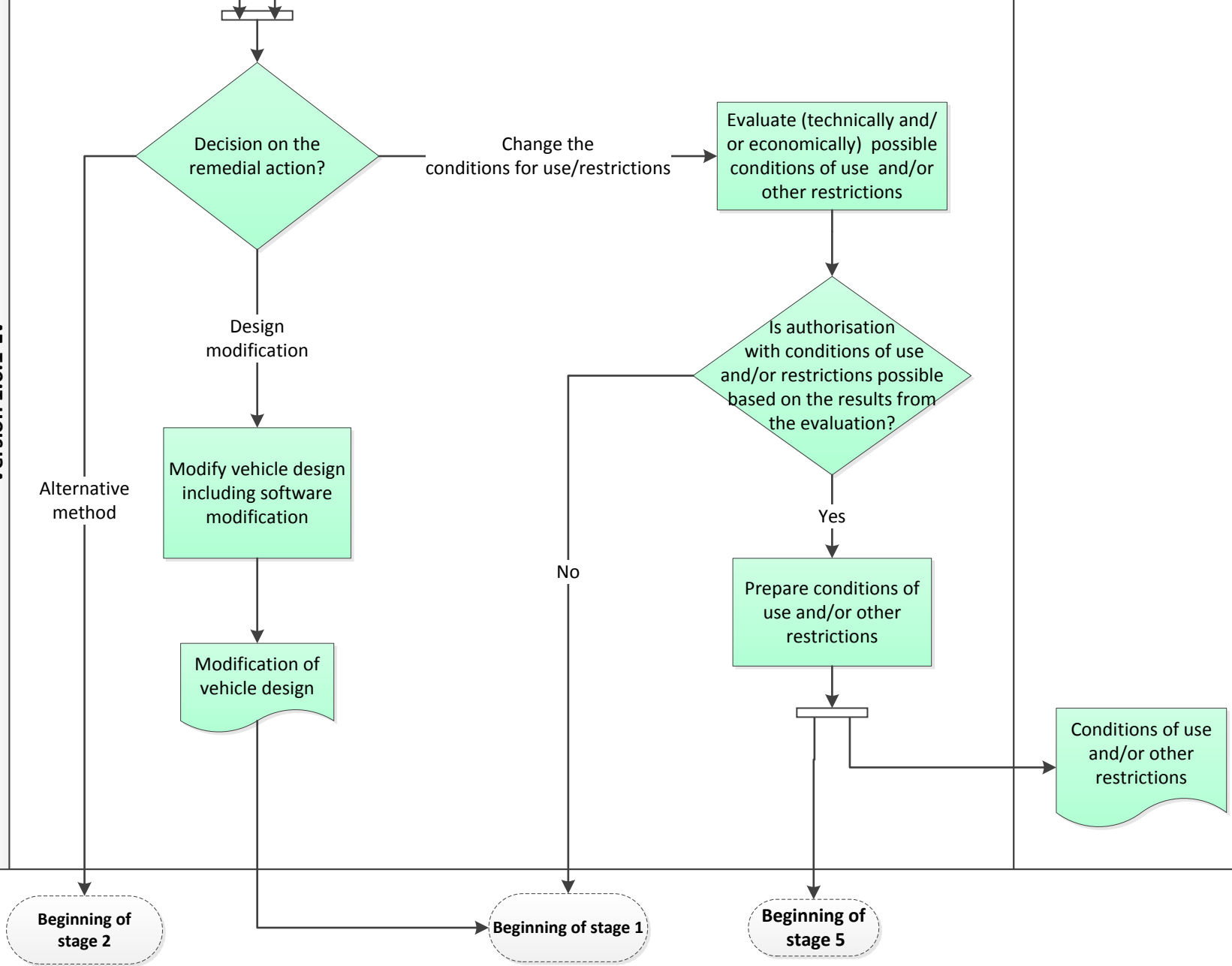
# Annex E

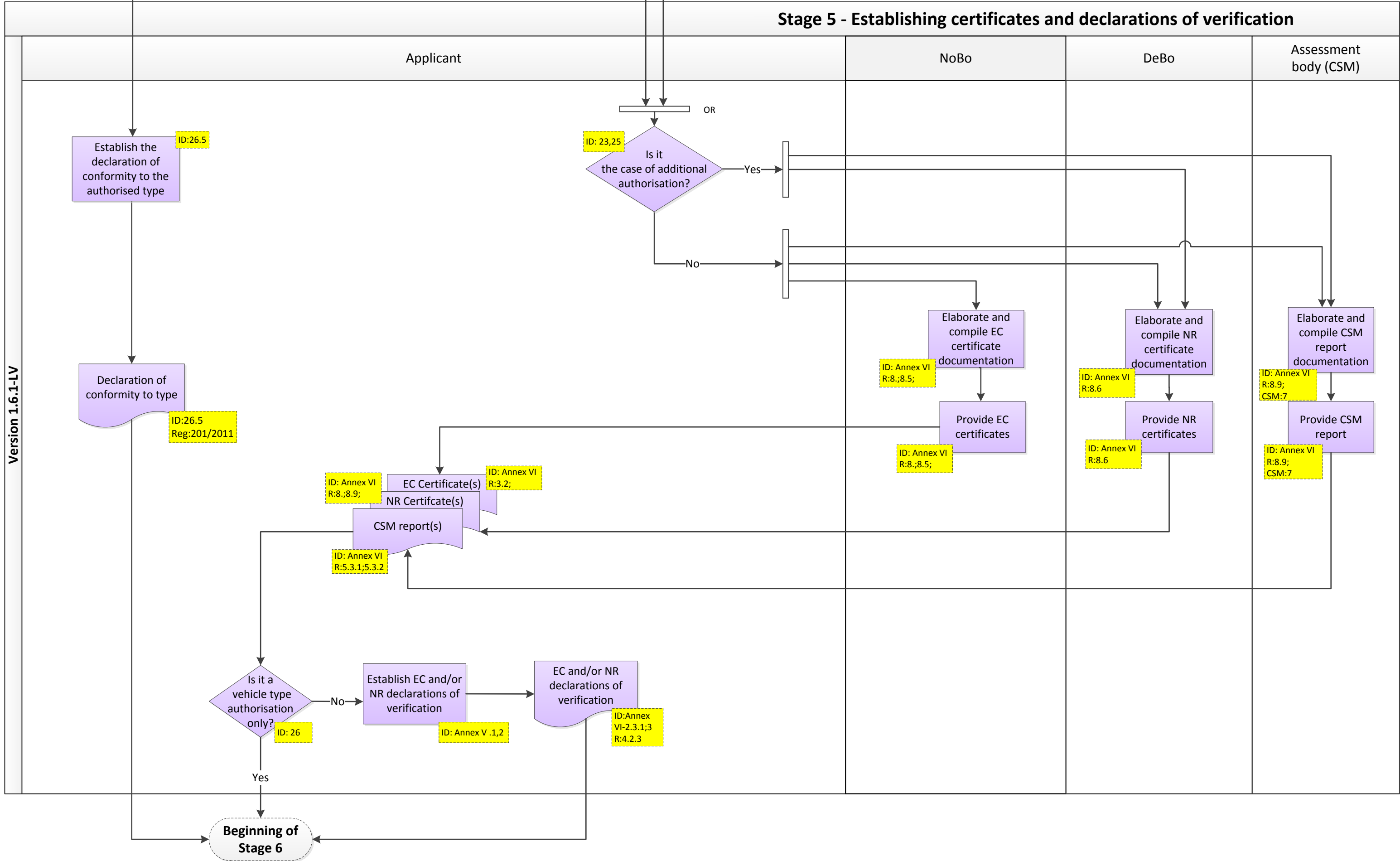
## Stage 4 - Correction of non-conformities

Applicant

DeBo

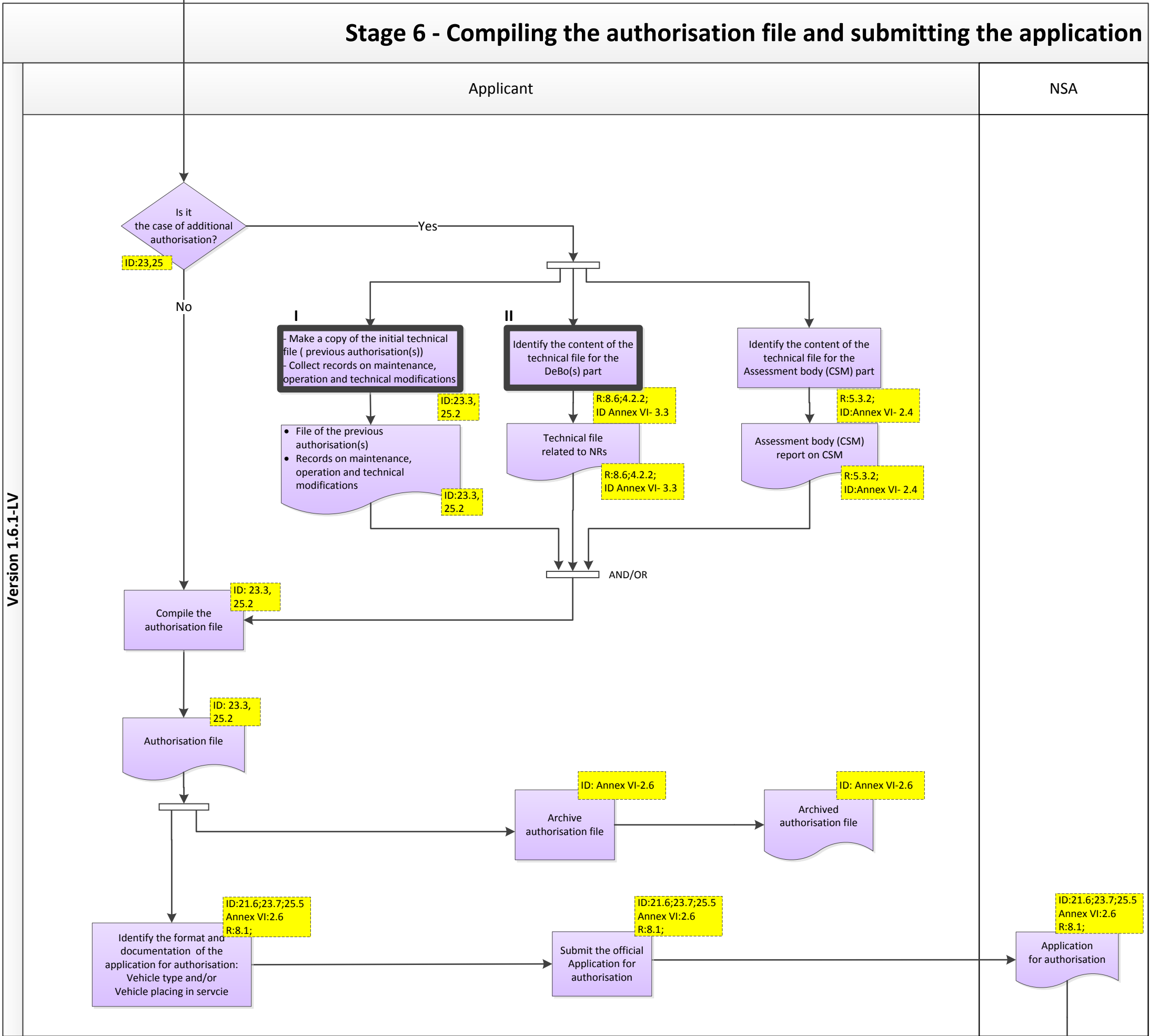
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End of stage 5

### Stage 6 - Compiling the authorisation file and submitting the application



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Beginning of stage 7

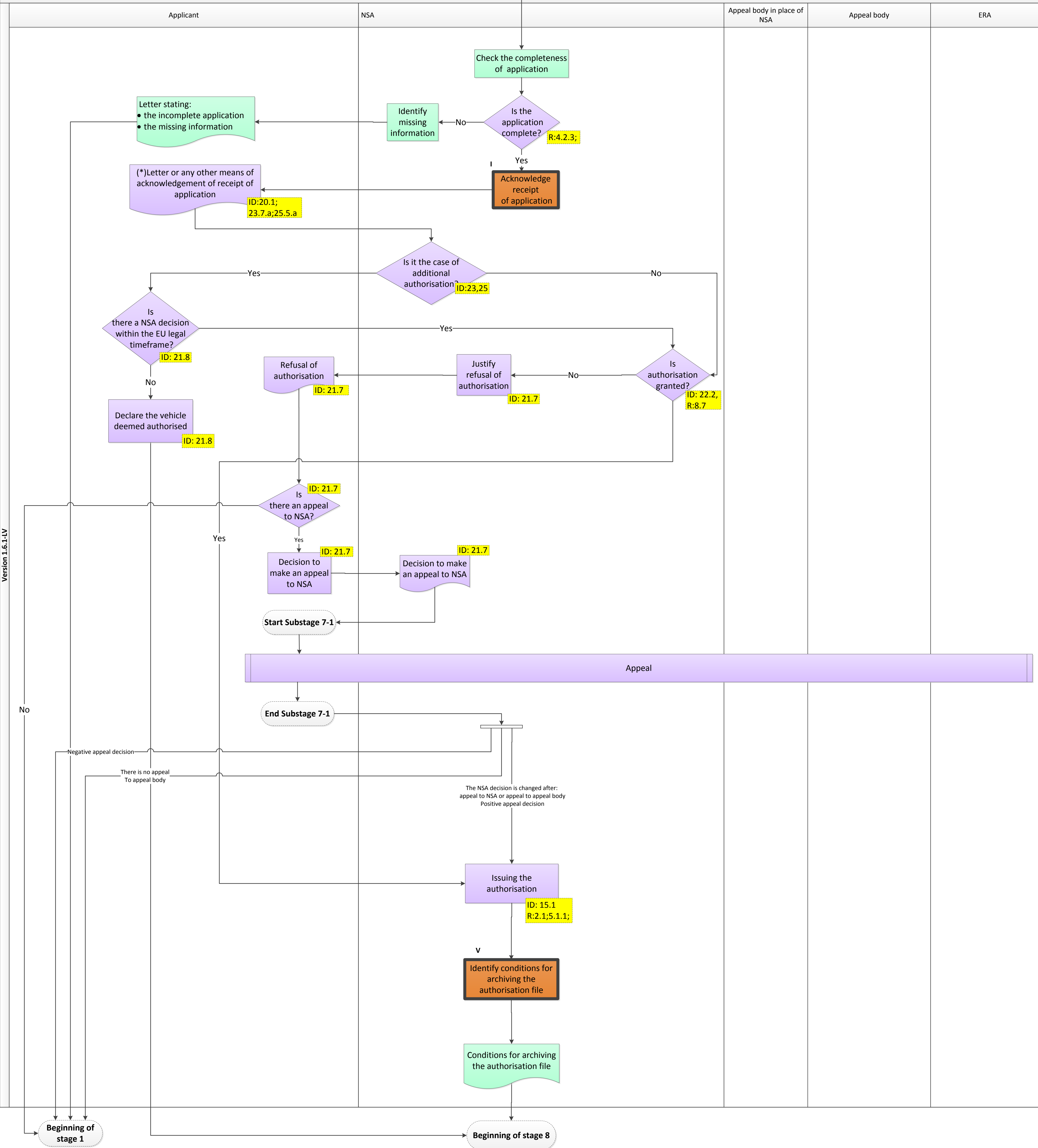
(\*)The timeline starts from the moment the application has been acknowledged

Legal option  
LV Legal option  
Non mandatory/  
Common practice

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

End of stage 6

Stage 7 - Processing the application for authorisation



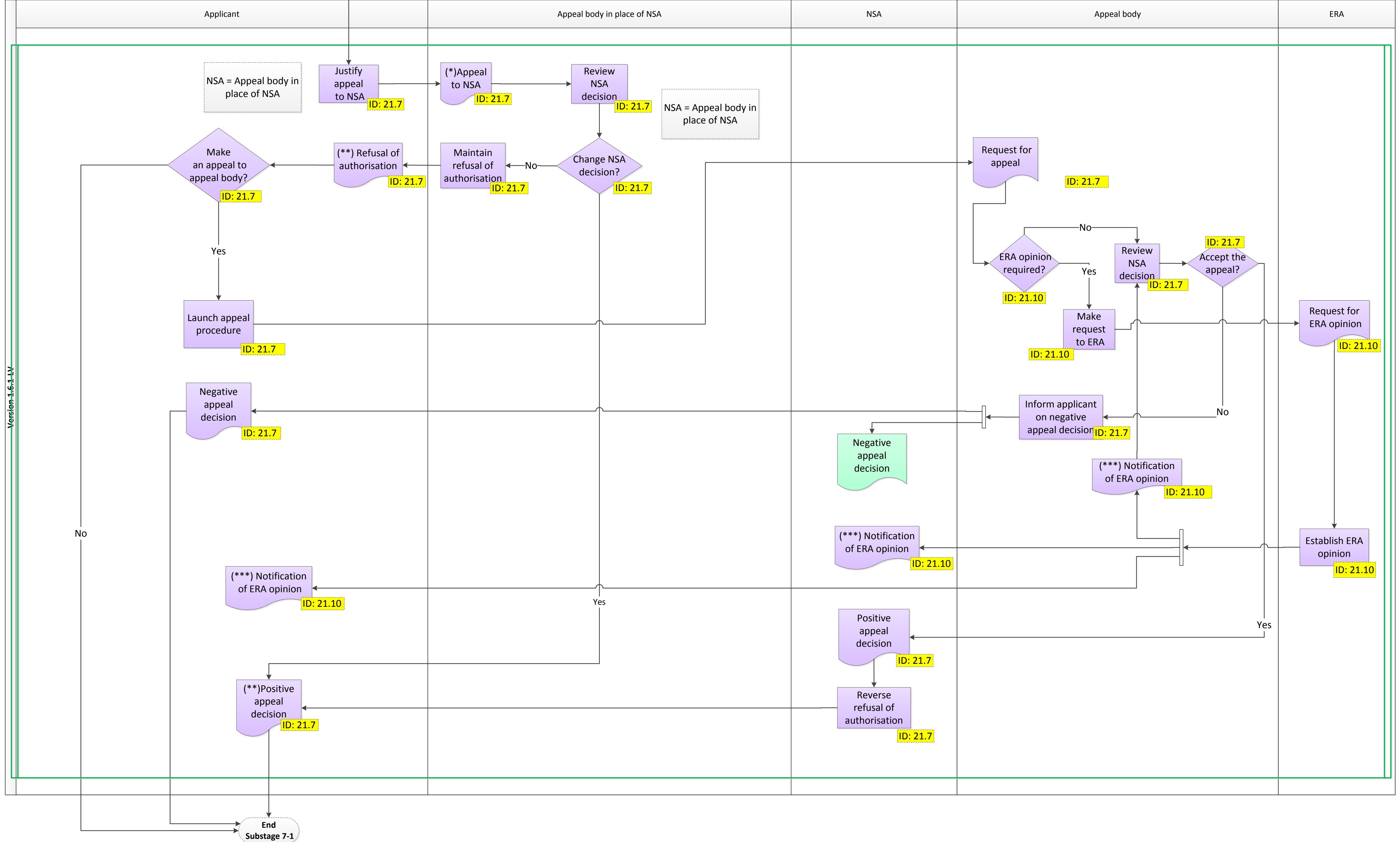
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(\*) Timeline starts from the moment the NSA has refused the authorisation  
 (\*\*) Timeline starts from the receipt of the appeal from the applicant  
 (\*\*\*) Timeline starts from the request of the appeal body to ERA for an opinion

Legal option  
 Non mandatory/  
 Common practice

ID: Interoperability Directive 2008/57/EC

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



Version 1.6.1-LV



Non mandatory/  
Common practice

Legal option

ID: Interoperability Directive 2008/57/EC

LV Legal option

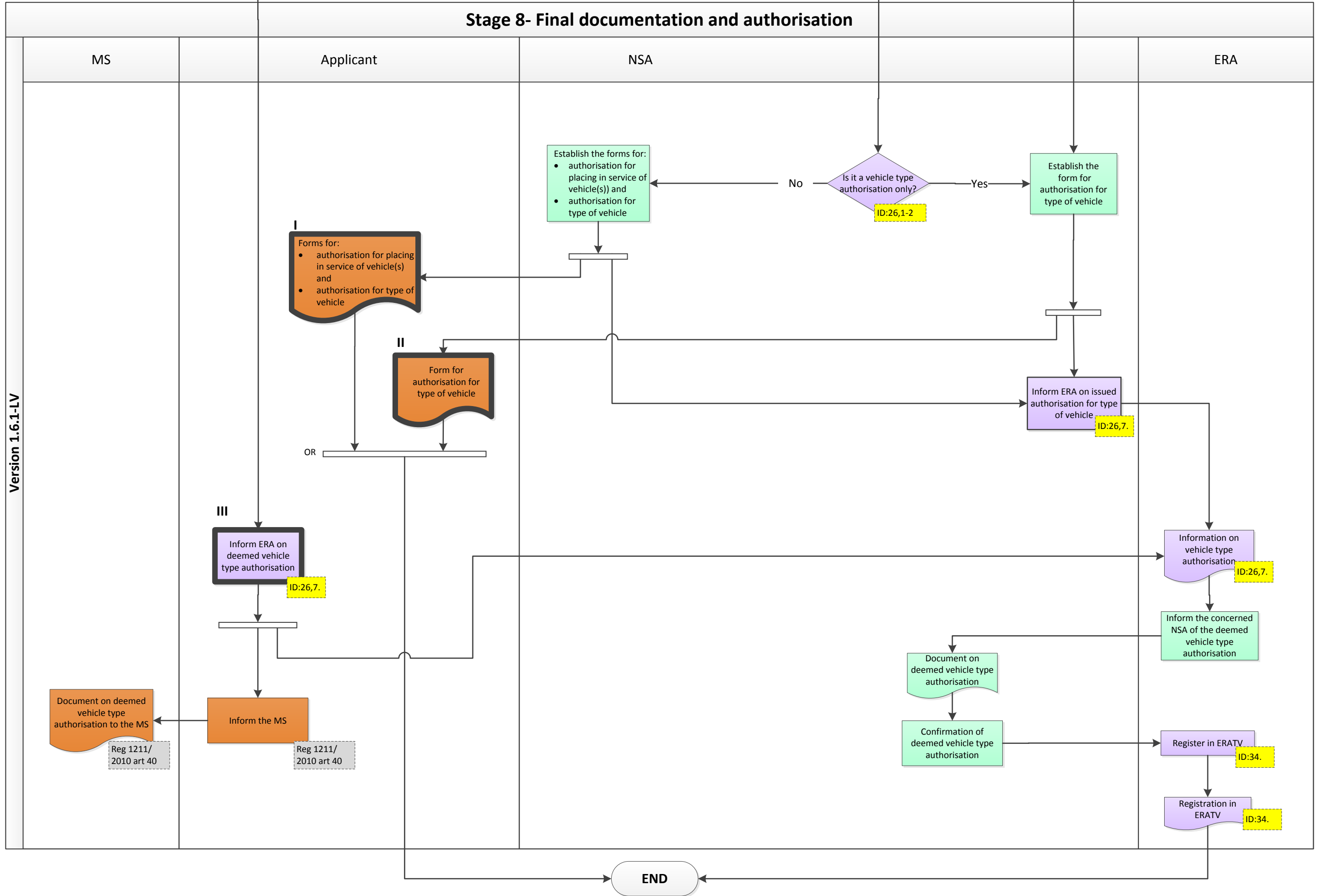
Reg 1211/2010: Cabinet Regulation No 1211

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



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