



Dansk Banegods
c/o Transportøkonomisk Forening - TØF
Bredgade 23, 2. tv.
1260 København K
www.banegods.dk
info@banegods.dk
Tel.: +45 26 16 82 32
CVR: 37 51 94 72

14 Marts 2024

Kristian Schmidt
Director – Land Transport
DG MOVE
European Commission
Rue de Mot 28
1040 Bruxelles

Josef Doppelbauer
Executive Director
European Railway Agency
120 rue Marc Lefrancq
59307 Valenciennes
France

Danish legislation and regulatory requirements on trailers and hitches

The interest organization Dansk Banegods (Danish Railfreight) would like to keep DG Move and ERA updated on the challenging development of the Danish legislation and Danish regulatory requirements on trailers and hitches on pocket wagons.

Please find attached the latest development. A letter from ERFA submitted on 22 January 2024 as well as replies from the Danish Minister for Transport dated 27 February 2024 and from the Danish Civil Aviation and Railway Authority (Danish NSA) dated 8 February 2024.

On 1 October 2022 new Danish legislation came into force with requirements applicable on the Danish rail infrastructure non-compliant with the EU interoperability regime. As you are fully aware of ERA made an assessment of the Danish legislation and concluded that the Danish legislation is not in line with the EU legal framework. ERA rejected the Danish legislation and an ERA opinion was issued on 6 December 2022.

Following the ERA opinion, the European Commission initiated a process of issuing an implementing act against Denmark. The Railway Undertakings (RU) active on the Danish rail infrastructure have highly appreciated the attention to the matter from the Commission and ERA. Unfortunately, until today this has not yet been formally implemented and we believe that further action is needed.

Further new regulatory requirements are imposed on the RU's without any technical or safety reasons. The Danish NSA has imposed a national authorization requirement applicable as of 1 January 2024. Due to a very slow and unstructured approval procedure not one single RU received an approval from the NSA in due course.

Based on this the Danish NSA in December 2023 imposed further requirements. As of 1 January 2024 a 14 tons weight requirement is applicable on the entire Danish rail infrastructure for an interim period up until 1 June 2024 when all existing approvals issued to RU's will expire.

We once again call for action from the European Commission, ERA and DG Move. Please don't hesitate to contact Dansk Banegods if further information needed and please let me know how we can best work together to ensure compliance in Denmark with the EU interoperability regime.

Best regard

Jens Kirketerp Jensen

Chairman
Dansk Banegods