

This document is a translation made by SHK of the original response in Swedish to the safety recommendation. In case of discrepancies between this translation and the Swedish original text, the Swedish text shall prevail in the interpretation of the response.

Swedish Accident Investigation Authority  
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SE-102 29 Stockholm

## **Response to recommendation in SHK investigation report RJ 2017:05, collision involving train 34871 and train 26890 at the site Fångsjöbacken, Jämtland County, on 11 October 2016.**

### **Decision of the Swedish Transport Agency**

The Swedish Transport Agency has received the Swedish Accident Investigation Authority's investigation report RJ 2017:05, collision involving train 34871 and train 26890 at the site Fångsjöbacken, Jämtland County, on 11 October 2016.

In the report, SHK directs the following recommendation to the Swedish Transport Agency.

Recommendation to the Swedish Transport Agency – in collaboration with the Swedish Work Environment Authority, if necessary:

- Within the scope of its supervisory mission, investigate how other rail operators handle visibility, light and noise conditions in older engine types. (RJ 2017:05 R2)

The Swedish Transport Agency provides the following response to SHK's recommendation:

- Swedish Transport Agency has had a collaboration meeting with the Swedish Work Environment Authority regarding supervision of the rail operators' management of visibility, light and noise conditions in older engines. Following the meeting with the Swedish Work Environment Authority, the Swedish Transport Agency has planned to conduct a check in future inspections of the risks identified by the railway operators during use of older types of engines in their operations. The check will also look at how these risks have been managed in their own activities, and how identified risks have been managed which they have in common with other operators using similar or the same type of

engine. In accordance with the provisions on safety management systems<sup>1</sup>, the rail operators are required to manage their own risks and common risks together with other operators. In addition, a check will be carried out of whether the risk management has been supervised or otherwise monitored in order to achieve the aim of the risk-reducing measures, and that the measures do not entail other risks.

The decision in this case was made by Head of Department Petra Wermström. Also participating in the final processing of the matter were Head of Section Åsa Berglind and Administrator Magnus Jonsson, reporting.

Petra Wemström  
Head of Department  
Road and Rail

#### Additional information

The Swedish Transport Agency would also like to underline that the revision of the Directive (EU) 2016/798 of the European Parliament and of the Council on railway safety<sup>2</sup> and the Commission Delegated Regulation establishing common safety methods on safety management system requirements<sup>3,4</sup> contain requirements on managing the human conditions within the organisation. The Directive and the Regulation are planned to be ratified in Swedish law on 16 June 2019, through the fourth railway package. Article 9(2) of the Directive states that there shall be a clear commitment to consistently applying human factors, knowledge and methods. Section 4.6 of Annex I to the delegated regulation contain requirements on integrating and managing human and organisational factors and systematically managing risks relating to the design and use of equipment, tasks, working conditions and organisational arrangements, considering human capabilities and limitations and the influence on human performance.

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<sup>1</sup> TSFS 2015:34 The Swedish Transport Agency's regulations on safety management systems and other safety regulations for infrastructure managers with safety permits and railway undertakings with safety certification.

<sup>2</sup> Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety

<sup>3</sup> [http://ec.europa.eu/info/law/better-regulation/initiatives/c-2018-1392\\_en](http://ec.europa.eu/info/law/better-regulation/initiatives/c-2018-1392_en)

(link to COMMISSION DELEGATED REGULATION (EU) .../... of 08/03/2018 establishing common safety methods on safety management system requirements pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulations (EU) No 1158/2010 and (EU) No 1169/2010. (21/03/2018))

<sup>4</sup> The European Commission is expected to make a decision regarding this regulation in the spring of 2018, after which time it will be published in the Official Journal.