



CFR NETWORK STATEMENT

12.12.2021 – 10.12.2022



COMPANIA NATIONALA DE CAI FERATE CFR SA

Updates

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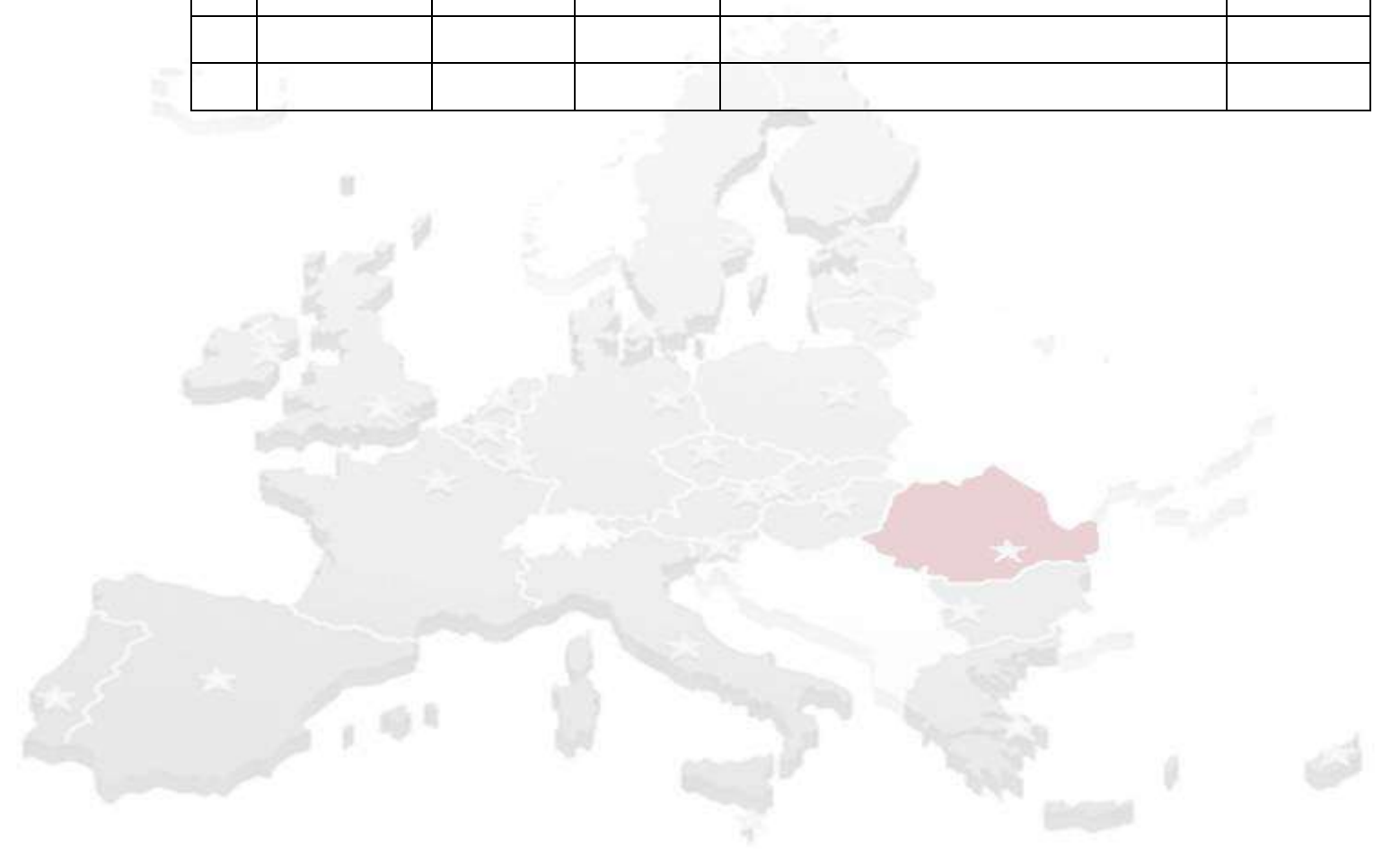


Table of Contents

Ch. 1	General Information	11
1.1	Introduction.....	12
1.2	Objectives	12
1.3	Legal Framework	12
1.4	Legal Status	14
1.4.1	Overview.....	14
1.4.2	State Liability.....	14
1.4.3	Appeals Procedure	14
1.5	Structure of the NS	14
1.6	Validity Period, Updating.....	15
1.6.1	Validity Period	15
1.6.2	Updating Process	15
1.7	Publishing	16
1.8	Contact Data	16
1.9	European Freight Corridors	16
1.10	Cooperation between Infrastructure Managers.....	17
1.10.1	One Stop Shop.....	19
1.10.2	RNE Tools.....	20
1.11	Glossary	20
Ch. 2	Access Conditions.....	23
2.1	Introduction.....	24
2.2	General Access Requirements.....	24
2.2.1	Requirements to be Complied with by an Applicant	24
2.2.2	Who is Allowed to Perform Freight or Passenger Train Operations.....	24
2.2.3	Licence.....	24
2.2.4	Safety Certificate.....	25
2.2.5	Cover of Liabilities (Mandatory Insurance, State Guarantee)	26
2.3	General Business Terms and Conditions	26
2.3.1	Framework Agreement.....	26
2.3.2	Access Contract Concluded with the RU	26
2.3.3	Allocation Agreement Concluded with Other Applicants than RUs.....	27
2.4	Operational Rules	28
2.5	Exceptional Transports	28
2.6	Dangerous Goods.....	29
2.7	Rolling Stock Acceptance Process Guidelines	30
2.8	Staff Acceptance Process	30
Ch. 3	Infrastructure	32
3.1	Introduction.....	33
3.2	Extent of Network	33
3.2.1	Network Limits	33
3.2.1.1	Interoperable and Non-Interoperable Railway Infrastructure	33
3.2.1.2	Management of Non-Interoperable Railway Infrastructure	34

3.2.2	Connection to the International Network.....	34
3.2.3	Further Information.....	34
3.3	Network Description	35
3.3.1	Technical Characteristics.....	35
3.3.1.1	Track Type.....	35
3.3.1.2	Track Gauge	35
3.3.1.3	Railway Stations and Nodes	35
3.3.2	Network Characteristics.....	36
3.3.2.1	Loading Gauge.....	36
3.3.2.2	Weight Limits.....	36
3.3.2.3	Line Gradients	36
3.3.2.4	Admitted Line Speed	36
3.3.2.5	Maximum Train Lengths.....	36
3.3.2.6	Traction Current	37
3.3.3	Traffic Control and Communication Systems.....	37
3.3.3.1	Signalling Systems	37
3.3.3.2	Traffic Control Systems.....	38
3.3.3.3	Radio Communication System	38
3.3.3.4	Train Traffic Control Systems	39
3.3.4	Organisation of Railway Traffic Operation	40
3.3.4.1	Train Traffic Management	40
3.3.4.2	Train Traffic Scheduling and Analysis.....	40
3.4	Traffic Restrictions	41
3.4.1	Specialized Infrastructure	41
3.4.2	Environmental Restrictions	41
3.4.3	Restrictions Related to Dangerous Goods.....	41
3.4.4	Tunnel Restrictions.....	41
3.4.5	Bridge Restrictions.....	42
3.5	Availability of the Infrastructure.....	42
3.6	Service Facilities.....	43
3.6.1	Passenger Stations.....	43
3.6.2	Freight Stations.....	44
3.6.3	Marshalling Yards and Train Formation and Shunting Facilities	44
3.6.4	Storage (Stabling) Sidings	45
3.6.5	Maintenance Facilities.....	45
3.6.6	Other Technical Facilities.....	45
3.6.7	Maritime and Inland Port Facilities Related to Railway Activities.....	45
3.6.8	Relief Facilities	46
3.6.9	Refuelling Facilities	46
3.7	Infrastructure Development	46
Ch. 4	Infrastructure Capacity Allocation	48
4.1	Introduction.....	49
4.2	Process Description	49
4.3	Schedule for Train Path Request and Allocation	50
4.3.1	Deadlines for Timetable Drafting.....	50
4.3.2	Deadlines for Ad-Hoc Requests for Train Paths	50
4.4	Infrastructure Capacity Allocation Process.....	50
4.4.1	Coordination Process.....	51
4.4.2	Dispute Resolution Process	51
4.4.3	Congested Infrastructure (Definition, Priority Criteria).....	51
4.4.4	Impact of Framework Agreements	51
4.5	Allocation of Capacities for Maintenance, Repairing and Upgrading	52

4.6	Train Path Cancellation or Non-Usage Rules	52
4.6.1	Suspension of Railway Infrastructure Access	52
4.7	Exceptional Transports or Transports of Dangerous Goods	52
4.8	Special Measures in Case of Traffic Disturbances.....	52
4.8.1	Principles (Existing Procedures and Contractual Arrangements)	52
4.8.2	Operational Rules	53
4.8.3	Foreseen (Planned) Issues.....	53
4.8.4	Unforeseen Issues	53
4.9	Allocation of Capacities for Service Facilities.....	53
Ch. 5	Supplied Services	54
5.1	Services Supplied by CFR and the Operators of Services Facilities.....	55
5.2	Minimum Access Package	55
5.3	Access, Including Track Access to Service Facilities, if They Exist, and Supply of Services within these Facilities.....	56
5.3.1	Access to Service Facilities	56
5.3.1.1	Passengers Stations.....	57
5.3.1.2	Freight Terminals.....	57
5.3.1.3	Facilities in Marshalling and Train Formation Yards, Including Shunting Facilities	57
5.3.1.4	Storage (Stabling) Sidings	58
5.3.1.5	Maintenance Facilities	58
5.3.1.6	Other Technical Facilities, including Cleaning and Washing Facilities	58
5.3.1.7	Maritime and Inland Port Facilities.....	58
5.3.1.8	Relief Facilities	58
5.3.1.9	Refuelling Facilities.....	58
5.3.2	Services Supplied within Service Facilities.....	59
5.3.2.1	Shunting and Stabling of the Rolling stock	59
5.4	Additional Services.....	59
5.4.1	Traction Current.....	59
5.4.2	Specific Services for Passenger Trains.....	60
5.4.3	Services for Exceptional Transports and Dangerous Goods	60
5.5	Ancillary Services	60
5.5.1	Access to the Telecommunications Network.....	60
5.5.2	Supply of Additional Information.....	61
5.5.3	Technical Inspection of the Rolling Stock	61
5.5.4	Ticketing Service.....	62
5.5.5	Specialized Mechanised Track Maintenance Services.....	62
5.6	Other Services	62
Ch. 6	Infrastructure Access Charge	63
6.1	Charging Principles	64
6.1.1	Minimum Access Package.....	65
6.1.2	Access to the Facilities Referred to in Article 5.3.1	66
6.1.3	Services Referred to in Article 5.3.2	67
6.1.4	Additional Services.....	67
6.1.5	Ancillary Services	67
6.1.6	Other Services.....	67
6.2	Charging System	67
6.3	Charging Information (Values).....	68
6.3.1	Minimum Access Package Charge.....	68
6.3.2	Charging of Track Access to Service Facilities and Supply of Services within these Facilities.....	69
6.3.3	Charges for Additional Services.....	69

6.3.4	Charges for Ancillary Services	70
6.3.5	Charges for Other Services.....	70
6.4	Penalties and Incentives	70
6.4.1	Non-Usage Charge.....	70
6.4.2	Cancellation Charge	71
6.4.3	Discounts for Framework Agreements.....	71
6.4.4	Discounts for ERTMS	71
6.5	Performance Scheme	71
6.6	Modifications of Charges	71
6.7	Billing Arrangements.....	72



Annexes

- Annex 1.a** Overview Map of the CFR Network
- Annex 1.b** Map of Interoperable and Non-Interoperable Lines
- Annex 1.c** Map of Traffic Systems and Station Equipment
- Annex 2** Organisation and Objectives of RNE
- Annex 3** RNE Information, OSS and RNE Tools
- Annex 4.a** Railway Infrastructure Access Contract 2022
- Annex 4.b** Train Traffic Performance Regime on the CFR Network
- Annex 4.c** Railway Infrastructure Access Agreement (standard template)
- Annex 4.d** Unitary Management of the Interventions in Case of Railway Accidents
- Annex 5.a** Documents Necessary for Concluding the Infrastructure Access Contract
- Annex 5.b** Convention on Fire Fighting
- Annex 5.c** Convention on Occupational Safety and Health
- Annex 5.d** Convention on Environmental Protection
- Annex 6** List of the Railway Undertakings
- Annex 7.a** List of the Main Operating Instructions and Regulations
- Annex 7.b** CFR SA activity contract
- Annex 8.a** Non-Interoperable Infrastructure and the Holders/Operators of Service Facilities
- Annex 8.b** Charges for the Services Supplied by the Railway Infrastructure Managers
- Annex 9.a** Service Facilities in the Railway Stations and the Supplied Services
- Annex 9.a1** Service Facilities in the Railway Stations of others Operators
- Annex 9.b** Framework Template for Describing the Service Facilities in Stations and the Supplied Services
- Annex 9.c** Framework Template Recommended to the Service Suppliers for Describing the Service Facilities and the Supplied Services
- Annex 9.d** Port, Maritime and Inland Facilities Related to the Railway Activities
- Annex 9.e** Telecommunications Facilities and Communications Services Related to the CFR Network
- Annex 10** CFR Line Gradients
- Annex 11** Border Stations and their Main Characteristics
- Annex 12** Main Characteristics of the CFR Network (centralising table)
- Annex 13** Technical Specifications of the Radio Stations Accessing the CFR Radio Network
- Annex 14** Traffic Sections on which the Movement Activity is Suspended
- Annex 15** Regulation on the Allocation of Infrastructure Capacity
- Annex 16.a** Principles Regulating the Traffic Coordination Procedure
- Annex 16.b** Dispute Resolution Process
- Annex 17** Sections with Congested Infrastructure
- Annex 18** Priority Criteria for Infrastructure Sections with Congested Capacity
- Annex 19** Traction Current Supply Contract (standard template)
- Annex 20.a** Methodology for charging the use of railway infrastructure 2022

- Annex 20.b** List of sections for IAC calculation
- Annex 20.c** List of additional charges names
- Annex 21** Charges for the Services Supplied by CFR
- Annex 22** Capacities Available for Long-term Stabling
- Annex 23.d** Calculation models (estimate)
- Annex 23.e** Charges for Ancillary Telecommunications Services
- Annex 23.f** Methodology for Calculating the Charge for the Service “Traction Current”
- Annex 24.a** Strategy for Railway Infrastructure Development (Synthetic Presentation)
- Annex 24.b** Projects for the Modernization of the Railway Infrastructure Related to the European Corridors and the TEN-T Network
- Annex 25** Legislation
- Annex 26** Capacity Restrictions
- Annex 27** Framework Lease Contract for the Non-Interoperable Railway Infrastructure
- Annex 28.a** Framework Lease Contract for the Ticketing Spaces

Abbreviations

AFER	The Romanian Railway Authority
ANCOM	The National Authority for Management and Regulation in Communications
ASFR	The Romanian Railway Safety Authority
ATCS	Automatic Train Control System
BCCTF	The Central Office for Railway Traffic Coordination
CAS	Charge for Ancillary Services
CENAFER	The National Centre for Railway Qualification and Training
CFR	Compania Nationala de Cai Ferate CFR SA
CNSDF	The National Railway Supervision Council
CUV	Contracts of Use of Vehicles in International rail Traffic – Appendix D to the Convention Concerning International Carriage by Rail (COTIF 1999)
DS	Dangerous Substances
EDIS	Electrodynamic Interlocking Systems
EIS	Electronic Interlocking Systems
EMIS	Electromechanical Interlocking Systems
ERTMS	European Railway Traffic Management System
ETCS	European Train Control System
GCU	General Contract of Use for Wagons – former RIV
GD	Government Decision
GEO	Government Emergency Ordinance
GO	Government Ordinance
IAC	Infrastructure Access Charge
IM	Infrastructure Manager as Defined in Law No. 202/2016 Transposing Directive 2012/34/UE
MTI	Ministry of Transport and Infrastructure
MTIT	Ministry of Transport, Infrastructure And Telecommunications (until 01 January 2013)
NS	Network Statement
OLFR	The Romanian Railway Licensing Body
OMT	Order of the Minister of Transport
ONFR	The Romanian Railway Notified Body
OSF	Operator of Service Facility
OSS	One Shop Stop
RID	Regulation Concerning the International Carriage of dangerous goods by Rail
RNE	RailNetEurope
RRB	Regional Railway Branch – Territorial Unit of CFR
RS	Rolling Stock
RTR	Regional Traffic Regulator
RU	Railway Undertaking
SC	Safety Certificate
TC	Traction Current
TM	Traffic Manager
TR	Traffic Regulator

Ch. 1 GENERAL INFORMATION



1.1 Introduction

This Network Statement (NS) is prepared by CFR, the company responsible for the development, management and maintenance of the railway infrastructure, including the traffic management, signalling monitoring and control, in accordance with its business purpose/competencies, pursuant to GD No. 581/1998 on setting-up Compania Nationala de Cai Ferate "CFR" S.A. This document describes the services supplied by CFR to the customers who want to operate trains on the railway infrastructure managed by CFR.

CFR's obligations to ensure the technical and operating condition of the railway infrastructure for the safe carrying-out of the train traffic are set down in the performance contract concluded by CFR SA with the MT in accordance with the law in force.

This NS is meant to be a guide including the relevant information available at a certain moment. It will be continuously updated as new information is provided.

1.2 Objectives

The NS sets out the infrastructure characteristics made available to the railway undertakings, and contains information about the conditions for the access to the relevant railway infrastructure. It also contains information about the conditions for the access to the service facilities related to the infrastructure of the infrastructure manager, and the supply of services within these service facilities or indicates a site on which such information is made available free of charge, in electronic format.

The Network Statement is regularly updated and amended as appropriate. The Network Statement is published no later than 4 months before the deadline for the submission of the requests for infrastructure capacity.

The NS provides a unitary source of information that is needed by an applicant who wants to supply transport services on the CFR network. It is necessary in order to facilitate the access to the railway infrastructure under non-discriminatory and transparent conditions. Any railway undertaking supplying railway transport services concludes, in accordance with the law in force, the necessary agreements with the infrastructure manager ([Annex 4.a](#)). The documents required for the conclusion of the access contract between the railway undertaking and the railway infrastructure manager are specified in [Annex 5.a](#) to the NS.

Any comments of the interested parties regarding the structure, contents and presentation of the NS are welcomed, and will be analysed by CFR. The comments may be sent to the contact address specified in paragraph 1.8.

For a better orientation, there are set out in [Annex 1.a](#), [Annex 1.b](#), [Annex 1.c](#) some maps of the CFR network according to the different elements which are referred to in the NS.

1.3 Legal Framework

The structure and characteristics of the NS were prepared on the basis of Article 27, corroborated with Annex IV, of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, which is the transposition of Directive 2012/34/EU establishing a single European railway area, as further supplemented and amended by Directive 2016/2370/EU, as well as on the basis of the interested party consultation process, and by taking into account the proposals of the National Railway Supervision Council, an independent regulating body set up in accordance with the provisions of Law No. 202/2016.

The NS was prepared on the basis of the following normative acts:

National normative acts

- Emergency Ordinance No. 12/1998 on the Romanian railway transport and the reorganization of Societatea Nationala a Cailor Ferate Romane, republished, 2004, as further amended.
- Government Decision No. 581/1998 on setting-up Compania Nationala de Cai Ferate "CFR"-SA through the reorganization of Societatea Nationala a Cailor Ferate Romane, as further amended.
- Government Decision No. 817 of 14 July 2005 on approving the Long-Term Railway Strategy Plan with a view to restoring the financial equilibrium of the infrastructure manager, and to modernizing and renewing the infrastructure, published in the Official Gazette No. 738 of 15 August 2005;
- Law No. 55 of 16 March 2006 on railway safety, published in the Official Gazette No. 322 of 10 April 2006;
- Decision No. 1696/2006 of 29 November 2006 on approving the Regulation on the allocation of railway infrastructure capacity;
- Government Decision No. 877 of 18 August 2010 on the interoperability of the railway system, published in the Official Gazette No. 663 of 28 September 2010;
- Government Decision No. 117/2010 on approving the Accident and Incident Investigation Regulation, for the development and improvement of the railway safety on the railways and the subway network in Romania;
- Government Decision No. 643/2011 on approving the leasing conditions by Compania Nationala de Cai Ferate "C.F.R." S.A. of some parts of the non-interoperable railway infrastructure, as well as their management, as further amended;
- Government Decision no. 920/2021 regarding the approval of the activity and performance contract of the National Railway Company „C.F.R.” - SA for the period 2021-2025;
- Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area.
- Emergency Ordinance No. 52/2019 for amending and supplementing Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, which creates the regulatory framework for the implementation of Commission Delegated Decision (EU) 2017/2075 of 4 September 2017 replacing Annex VII to Directive 2012/34/EU of the European Parliament and of the Council on the establishment of the single European railway area.

European normative acts

- Directive 2008/57/EC – on the interoperability of the rail systems;
- Directive 2001/16/EC – on the interoperability of the conventional rail systems;
- Directive 2004/50/EC – on the interoperability of the trans-European rail system;
- Directive 2004/49/EC – on railway safety;
- Directive 2008/68/EC and Directive 96/49/EC– on transport of dangerous goods;
- Directive 2012/34/EC establishing a single European railway area;
- Commission Implementing Regulation (EU) 2015/909 of 12 June 2015 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service.
- Directive 2016/2370/EU of the European Parliament and of the Council of 14 December 2016 amending Directive 2012/34/EU as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure;

- EU Implementing Regulation 2017/2177 of 22 November 2017 on access to service facilities and rail-related services;
- Commission Implementing Regulation (EU) 2018/1795 laying down procedure and criteria for the application of the economic equilibrium test pursuant to Article 11 of Directive 2012/34/EU of the European Parliament and of the Council;
- Commission Delegated Decision (EU) 2017/2075 of 4 September 2017 replacing Annex VII to Directive 2012/34/EU of the European Parliament and of the Council establishing a single European railway area.

1.4 Legal Status

1.4.1 Overview

The Network Statement is for information and presentation purposes. Its legal status will be only that set out in the applicable law in force.

1.4.2 State Liability

The Romanian State is represented by the Ministry of Transport and Infrastructure (MTI) in its capacity as the state authority in the field of transport in accordance with the provisions of Decision No. 370/2021 on the organization and functioning of the Ministry of Transport and Infrastructure (MTI).

1.4.3 Appeals Procedure

Any applicant may submit to CFR a contestation against the provisions of the NS as well as in case of other issues (e.g.: contestation regarding the allocation of infrastructure capacity), if these infringe the law. In case of disputes, these are solved, and a relevant decision is made in accordance with the law (Article 46(6) of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area), whereas CFR will communicate to the applicant, in writing, the resolution modality within 10 working days.

The applicant who considers that he has been treated unfairly, has been discriminated against or wronged with regard to any aspects as set down at Article 56(2) and (3) of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, may also submit a complaint to the National Railway Supervisory Council (CNSDF), an independent body, established in accordance with Law No. 202/2016 to the following contact data:

The National Railway Supervision Council

Address: 1 Piața Presei Libere, 1 Bucharest, Romania, Mail code: 013701;
Phone: +40214054450
Fax: +40214054447
E-mail: consiliul.feroviar@consiliulconcurrentei.ro
Web: www.consiliulferoviar.ro

1.5 Structure of the NS

This NS was prepared for presenting the services supplied by CFR in its capacity as manager of the Romanian railway infrastructure, in accordance with the indicative structure in the Guide prepared by RailNetEurope (the Association of European Railway Infrastructure Managers), and is structured as follows:

CHAPTER 1 General Information – presents the objectives and the overview of the NS;

CHAPTER 2 Access Conditions - includes the general access requirements to be fulfilled by any applicant for using the railway infrastructure, and the operational rules;

CHAPTER 3 Infrastructure – presents the description of the railway network, the technical characteristics, the organisation of the railway traffic operation, and the service facilities;

CHAPTER 4 Infrastructure Capacity Allocation – presents the description of infrastructure capacity allocation process;

CHAPTER 5 Services - presents the services to be supplied to the railway undertakings in accordance with the provisions of Law No. 202/2016;

CHAPTER 6 Infrastructure Access Charges and Billing Arrangements.

1.6 Validity Period, Updating

1.6.1 Validity Period

This version is valid for the 2021/2022 Timetable, commencing with the date of 12 December 2021, until the date of 10 December 2022. It remains valid until relevant changes occur determining the preparation and publishing of the next version.

The NS is published no later than 4 months before the deadline for the submission of the requests for infrastructure capacity. The NS draft is subject to the review by the interested parties for 2 months before the publication.

1.6.2 Updating Process

Preparation and publishing of the 2021-2022 NS Project to be reviewed by the interested parties.

Deadline: 11 December 2021.

Submission of the link or of the up-to-date information on the service facilities by the operators of service facilities:

Deadline: 5 January 2022.

Receipt of comments from interested parties in the consultation process, until 25.01.2022. If no comments are submitted, CFR SA will consider that there are no objections to the Draft Network Reference Document.

Deadline: 25 January 2021.

Publishing of the final version of the NS resulting from the interested party consultation process

Deadline: 10 February 2021.

Entry into force of the NS:

Deadline: 12 December 2021.

In accordance with Article 27(3) of Law No. 202/2016, the NS *“shall be regularly updated and modified as necessary”*. CFR will regularly update the NS in order to include additional information or to update the already presented information. The modifications made during the validity period will keep the initial number of the version followed by the extension of the order number of the relevant modification (e.g. NS 8.3 will be the third modification of the NS 8.0), and will be highlighted in the table on page ii which contains the date of making and entering into force of the modifications, the indication of the amended paragraphs, and the nature of the modifications. In accordance with Article 27(2) and Annex IV of Law No. 202/2016, the operators of railway service facilities and the managers of the leased railway infrastructures *“shall submit the specific information to be included in the Network Statement or shall indicate a website where this information is available free of charge, in electronic format”*.

1.7 Publishing

The NS is available free of charge on the CFR website in Romanian and English at www.cfr.ro. Upon request, a hard copy may be made available against payment, if available.

The Romanian version prevails against the English version.

1.8 Contact Data

For comments and additional information regarding the NS please do not hesitate to contact us:

Compania Nationala de Cai Ferate - CFR SA, Traffic Directorate

Address: 38 Dinicu Golescu Blvd., 1 Bucharest 010873, Romania
Web: www.cfr.ro
Phone: +40 21 319 25 10
Fax: +40 21 319 25 11
E-mail: drr.cfr@cfr.ro

Moreover, the NS may be accessed on the website of RNE which also includes the NSs of the other European railway administrations that are members of RNE.

1.9 European Freight Corridors

In 2010, the European Parliament and Council drafted Regulation (EU) No. 913/2010 which sets out rules for creating a European rail network for competitive freight, consisting in organizing and managing the international freight corridors.

The purpose of these rules is to supply safe and quality services for a high quality railway transport, and to enable it to compete with other modes of transport.

The main objective for initiating the Regulation was to improve the services supplied by the infrastructure managers to the international freight railway undertakings.

Several initiatives have contributed to the creation of the concept of corridors: the First Railway Package, the TEN-T (Trans-European Transport Network) programme, the cooperation between the Member States, and the collaboration between the infrastructure managers within the ERTMS as well as the implementation of the TAF TSI (Technical Specifications for Interoperability relating to the telematics applications for freight).

By means of Regulation 913/2010, the European Union intends to act in the following main areas corresponding to the harmonization process:

- improving of the coordination between the infrastructure managers,
- improving of the infrastructure access conditions,
- giving sufficient priority to freight trains,
- improving of the inter-modality along the corridors.

The coordination and operative management structures of a freight corridor are the Executive Committee consisting of the representatives of the Ministries of Transport and, respectively, the Management Board consisting of the representatives of the railway infrastructure managers, and of the railway capacity allocation bodies on the corridor route.

For attaining these objectives, the European Union has defined nine Rail Freight Corridors (RFCs) along the EU railway network. Two of these, the Rail Freight Corridor No. 7 (RFC 7) "Orient/East-Mediterranean" and the "Rhine-Danube" Rail Freight Corridor, are crossing CFR's railway network.

"Orient/East-Mediterranean" Rail Freight Corridor

The Rail Freight Corridor No. 7 (RFC 7) "Orient/East-Mediterranean": the Northern branch goes through Curtici-Sighișoara-Brașov-București-Constanța, and is 858 km long, being 100% electrified, whereas the Southern branch goes through Curtici-Timișoara-Caransebeș-Orșova-Craiova-Calafat, and is 507 km long, 399 km of electrified line (79%) and 108 km of non-electrified line (21%). The Craiova-Calafat Section (108 km) is not electrified, but is planned for electrification within a project to be completed at the end of the year 2025. The Corridor Secretariate is headquartered in Budapest, being organized by MAV (The Hungarian State Railways).

The details regarding this corridor may be found at: <https://www.rfc7.eu/>.

"Rhine-Danube" Rail Freight Corridor

Besides the Rail Freight Corridor No. 7, Romania will also be crossed by the "Rhine-Danube" Rail Freight Corridor. The route of the "Rhine-Danube" Rail Freight Corridor: the Northern branch goes through Curtici-Sighișoara- București -Constanța, and is 858 km long, being 100% electrified, and the Southern branch goes through Curtici-Timișoara-Caransebeș-Orșova-Craiova-București-Constanța, and is 831 km long, being 100% electrified.

The details regarding this corridor may be found at: <http://rfc-rhine-danube.eu/>.

This corridor is set out in Annex II to Regulation (EU) No. 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing a mechanism for interconnection of Europe, amending Regulation (EU) No. 913/2010 and repealing Regulation (EC) No. 680/2007 and (EC) No. 67/2010 (1).

1.10 Cooperation between Infrastructure Managers

a) International Union of Railways (UIC)

UIC is a non-governmental multilateral organization established in Paris in 1922 for the co-operation in the field of railway transport, which aims at promoting the co-operation between the member railways and of the railway transport in general, developing the interoperability and improving the competitiveness of the railway transport as compared to other modes of transport. For this purpose, UIC develops rules, provisions and recommendations, railway and technical leaflets and standards, launches and supervises international projects and studies, and fosters the exchange of information and experience (<https://uic.org>).

During the period of time 2005-2006, UIC repositioned itself in relation to the European Union and the world developments, and the UIC structure was adequately adapted to give a global dimension to its organization and activity. At present, UIC has 200 members, belonging to the following categories:

- active members, including railway undertakings and infrastructure managers in Europe, as well as railways from North Africa, the Middle East, India, Pakistan, Japan, China and South Africa;
- associate members, including most railways in Asia, Africa, America and Australia;
- affiliated members, which are companies that perform activities complementary to those performed by the railways (public transport, sleeping cars, catering, etc.). CFR (the Romanian Railways) is one of the founding members of UIC.

b) RailNetEurope (RNE)

In 2004, a number of European railway infrastructure managers and allocation bodies decided to establish a common organisation, called RailNetEurope (RNE) and headquartered in Vienna, to solve the operational issues in the international railway field.

The details regarding the RNE organisation and objectives are set out in [Annex 2](#).

Since October 2004, CFR is a member of RNE, and cooperates with the IMs in other states which are not members of RNE in order to efficiently prepare and allocate some train paths involving several railway networks. The RNE presentation and projects may be accessed on the website: <http://www.rne.eu> [rne.eu](http://www.rne.eu)

c) The Platform of Rail Infrastructure Managers in Europe (PRIME)

The representative body called PRIME was established in 2013, with the headquarters in Brussels, on the proposal of the European Commission, and is an organized form of promoting the intentions of the railway infrastructure managers, the relevant associations and the Directorate General for Mobility and Transport (DG MOVE), to enhance cooperation and collaboration with a view to improving the European railway area. The presentation of this body may be found at: https://ec.europa.eu/transport/modes/rail/news/2016-06-03-prime-members-and-chair_en.

CFR is a member of the "Platform of Rail Infrastructure Managers in Europe" (PRIME) since July 2016.

The organizational structure of PRIME consists of the Plenary Meeting (decision-making body co-chaired by the European Commission and the railway infrastructure managers) and 6 working subgroups:

- 1) Infrastructure charging
- 2) Key Performance Indicators
- 3) Infrastructure financing
- 4) Railway safety culture
- 5) Digitalisation
- 6) The European network of the railway regulating bodies.

d) TEN-T Core Network Corridors

By means of the Regulations (EU) No. 1315/2013 and 1316/2013, the European Commission set up the Trans-European Transport Network (TEN-T) as a multimodal network comprising roads, railways, inland waterways, inland and maritime ports, airports and railway terminals in the 28 Member States. TEN-T comprises two levels:

1. *The comprehensive network*: a multidimensional network of relatively high density which offers accessibility to all the European regions (including peripheral and outermost regions) to support their economic, social and territorial development, as well as the mobility of their citizens.

2. *The core network*: a part of the comprehensive network, distinct as far as its strategic importance for the major European transport flows is concerned. The basic structure of the core network consists of multimodal corridors (CNC - the Core Network Corridors) – which are managed separately from the freight railway corridors, whereas their railway component also includes sections managed by CFR S.A. as follows:

a) *TEN-T Core Network Corridor "Orient/Est-Mediterranean"* with the route: Hamburg – Berlin; Rostock – Berlin – Dresden; Bremerhaven/Wilhelmshaven–Magdeburg–Dresden; Dresden – Ústí nad Labem – Mělník/Praha – Kolín; Kolín – Pardubice – Brno – Wien/Bratislava – Budapest – Arad – Timisoara – Craiova – Calafat – Vidin – Sofia; Sofia – Plovdiv – Burgas; Plovdiv – TR border; Sofia – Thessaloniki - Athens – Piraeus – Lemesos – Lefkosia; Athens – Patras/Igoumenitsa.

b) *TEN-T Core Network Corridor „Rhine–Danube"* with the route: Strasbourg – Stuttgart – München – Wels/Linz; Strasbourg – Mannheim – Frankfurt – Würzburg – Nürnberg – Regensburg – Passau – Wels/Linz;

München/Nürnberg – Praha – Ostrava/Přerov – Žilina – Košice –UA border; Wels/Linz – Wien – Bratislava – Budapest – Vukovar; Wien /Bratislava – Budapest – Arad – Braşov/Craiova – Bucureşti – Constanţa – Sulina.

The activities for identifying the development needs of the infrastructure of these multimodal corridors are managed by the European Commission through a European Coordinator, who chairs plenary meetings (Forums), respectively working groups.

The EU funding programs and initiatives for financing the TEN-T network development projects may be found at: https://ec.europa.eu/transport/themes/infrastructure_en

e) CER – The Community of European Railway and Infrastructure Companies

Established in 1988 with its headquarters in Brussels, CER is a European organization at the level of the railway companies which aims to represent the interests of its members at European level, to improve its position on the transport market and the viability of the railway transport, by conducting actions to influence the general framework which determines the making of the political decisions. The details of CER's activity may be found at: <http://www.cer.be>.

To this end, CER is involved in all stages of drafting European legislation, formulating points of view, being recognized by the European Commission as a negotiating partner and lobbying for the railway transport, with a view to balancing the modes of transport and creating a fair competition on the transport market, under conditions of sustainable development.

Given that CER - as an organization - is recognized by the European Commission as a dialogue partner in the process of drafting and improving transport legislation (while being also a lobbyist for the railway sector), the capacity as CER member which CFR SA obtained in 2003 offers, on the one hand, a real-time efficient information framework and, on the other hand, the possibility of expressing views in line with the realities and interests of CFR railway infrastructure, even from the drafting stage of the new railway legislative regulations.

f) OSJD - Organisation for Cooperation between Railways

OSJD is a specialized interministerial international organisation established on 28 June 1956, with the Romanian Ministry of Railways as a founding member, based in Warsaw, whose objective is to ensure the necessary prerequisites for the development of the railway transport between Europe and Asia, and to promote the cooperation of the members on the railway policy and strategy issues, transport law, freight, passenger and infrastructure.

OSJD mainly coordinates the Agreements on International Passenger Transport by Rail (SMPS) and on International Freight Traffic by Rail (SMGS) carried out with the countries of the former Soviet Union, the agreements on mutual settlements between the railways, as well as the technical issues related to the railway interoperability (<http://en.osjd.org>).

The organization has two governing and decision-making levels, and namely:

- Higher decision-making body – the Transport Ministers Conference, whose responsibility includes, in particular, policy issues, strategy and transport law;
- The Conference of the Directors General of the railways in the member countries, which mainly coordinates the freight, passenger and infrastructure sectors.

Romania is represented at the Transport Ministers Conference by the Ministry of Transport and Infrastructure, and CFR S.A. ensures the representation of the CFR company system at the level of the Conference of Directors General.

1.10.1 One Stop Shop

The European infrastructure managers which joined RNE have set up One Stop Shops (OSSs) that work within the freight railway corridors (RFC) as a network of contact points under the RNE and RFC umbrella.

The main tasks of the OSS are set out in [Annex 3](#).

A list of the contact persons of the OSSs of the RNE administrations is available on the website of RNE: www.rne.eu

CFR's One Stop Shop (OSS) works within the Traffic Directorate, its contact information being the following:

Compania Națională de Cai Ferate - CFR SA, Traffic Directorate

Address: 38 Dinicu Golescu Blvd., 1 Bucharest, 010873, Romania

OSS: Mr. Ionuț STUPINARU

Phone: +40 21 319 25 10

Fax: +40 21 319 25 11

E-mail: [oss@CFR.ro](mailto:oss@ CFR.ro)

1.10.2 RNE Tools

In order to ensure easy access to the services supplied by the IMs, RNE developed a number of online software tools such as:

- PCS (Path Coordination System) Pathfinder – a system for requests for PCS international train paths: <https://pcs.rne.eu/>
- TIS (Train Information System) EUROPTIRAILS - system for visualizing the traffic of the international trains: <https://tis-online.rne.eu/> <https://tis.rne.eu/>
- The description of these tools is set out in [Annex 3](#).

1.11 Glossary

The specialized terms used in the NS shall be those defined in Article 3 of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, and in GO No. 12/1998, as further amended and supplemented.

The other specialized terms are defined as follows:

1. Access Contract – sets down the rights and obligations of CFR and the RU regarding the allocation and use of the infrastructure capacities as well as other services provided or supplied by CFR;

2. Basic Service – means a service supplied in any of the service facilities listed in item 2 of Annex II to Directive 2012/34/EU;

3. Dangerous goods (substances) - are considered to be those chemicals which, during the transport by rail (in tanks, containers or other packaging), due to traffic accidents, damage to the transport means or packaging, unforeseen chemical reactions, non-compliance with the technical packaging and transport rules or other unforeseen factors, may cause explosions, fires, emissions of gases, vapours, aerosols or toxic liquids spread to the soil and in the environment;

4. Exceptional Transport - a transport is considered exceptional if, due to its dimensions, its gauge or weight, taking into account the characteristics of the railway infrastructure on which it is to circulate, it may be admitted only subject to special technical or operation conditions;

5. Infrastructure Manager – means any legal entity or group of legal entities registered in Romania having as business purpose the maintenance and operation of the non-interoperable railway infrastructure leased from CFR in accordance with the law in force;

6. Line Gradient - means the horizontal inclination of the axis of a track, measured by the ratio of the height and the distance run on horizontal level, a ratio expressed in thousandths;

7. Linked Service Facilities - means service facilities which are adjacent to one another and require passage through one to reach the other;

8. Loading Gauge – means the gauge of the rolling stock admitted on the CFR lines, in which both the wagon and its load must be included;

9. Marshalling Yard – means a station designed for the processing of freight wagon flows and their distribution (separation) to different destinations;

10. Minimum Access Package - means the services supplied by CFR to allow at least the transit of one train on the network, without shunting or (re)fuelling services;

11. Operator of Service Facility – means any public or private entity responsible for managing and granting access to a service facility or supplying one or more services to railway undertakings referred to in items 2 to 4 of Annex II, in accordance with the provisions of Article 3(19) of Law No. 202/2016;

12. Rail-Related Service – means a basic, additional or ancillary service listed in items 2, 3 and 4 of Annex II to Directive 2012/34/EU;

13. Rail Service Book – means the leaflet with the timetable for freight or passenger trains grouped per train categories/types and per the activity range of a CFR regional branch;

14. (Railway) Node - is a station with more than two travelling ways or the connections (railway branches) of the running line;

15. Relief Facilities – ensure the timely and efficient performance by CFR of the necessary interventions to eliminate the consequences of the railway events, and to restore the traffic/continuity of the railway traffic in case of railway accidents/incidents, with the help of specific relief means;

16. Safety Certificate – means the document certifying the fact that a railway undertaking holding a licence may supply a type of railway transport service on the Romanian railway traffic sections;

17. Self-Supply of Services - means a situation where a railway undertaking performs itself a rail-related service on the premises of a service facility operator, provided that access to and the use of the facility by that railway undertaking for self-supply of services is legally and technically feasible, does not endanger the safety of the operations and the operator of the service facility concerned offers such possibility;

18. Service Facility – means the installation, including ground area, building and equipment, which has been specially arranged, as a whole or in part, to allow the supply of one or more services referred to in items 2 to 4 in Annex II to Law no. 202/2016. They are set out in detail in Article 3.6 hereof;

19. Shunting Convoy – means a group of interlinked railway vehicles that are operated by pulling or pushing between the groups of lines of the same station with or without passing by the precincts of the station, as well as between the station and a line of an economic operator;

20. Station – means a sectioning point with lines for train traffic, shunting operations and other railway transport operations. For the purpose of this NS, station also means movement halt. The station may be open for freight and/or passenger traffic;

21. Timetable – means the train timetable, including the running times between various points (mainly stations and movement halts), and the train characteristics;

22. Transshipment Station - supplies the transshipment (moving) of the goods from wagons for normal gauge to wagons for broad gauge, and vice versa;

23. Transposition Station - supplies the transposition of wagons (change of axles/bogies) for normal gauge in wagons for broad gauge, and vice versa.

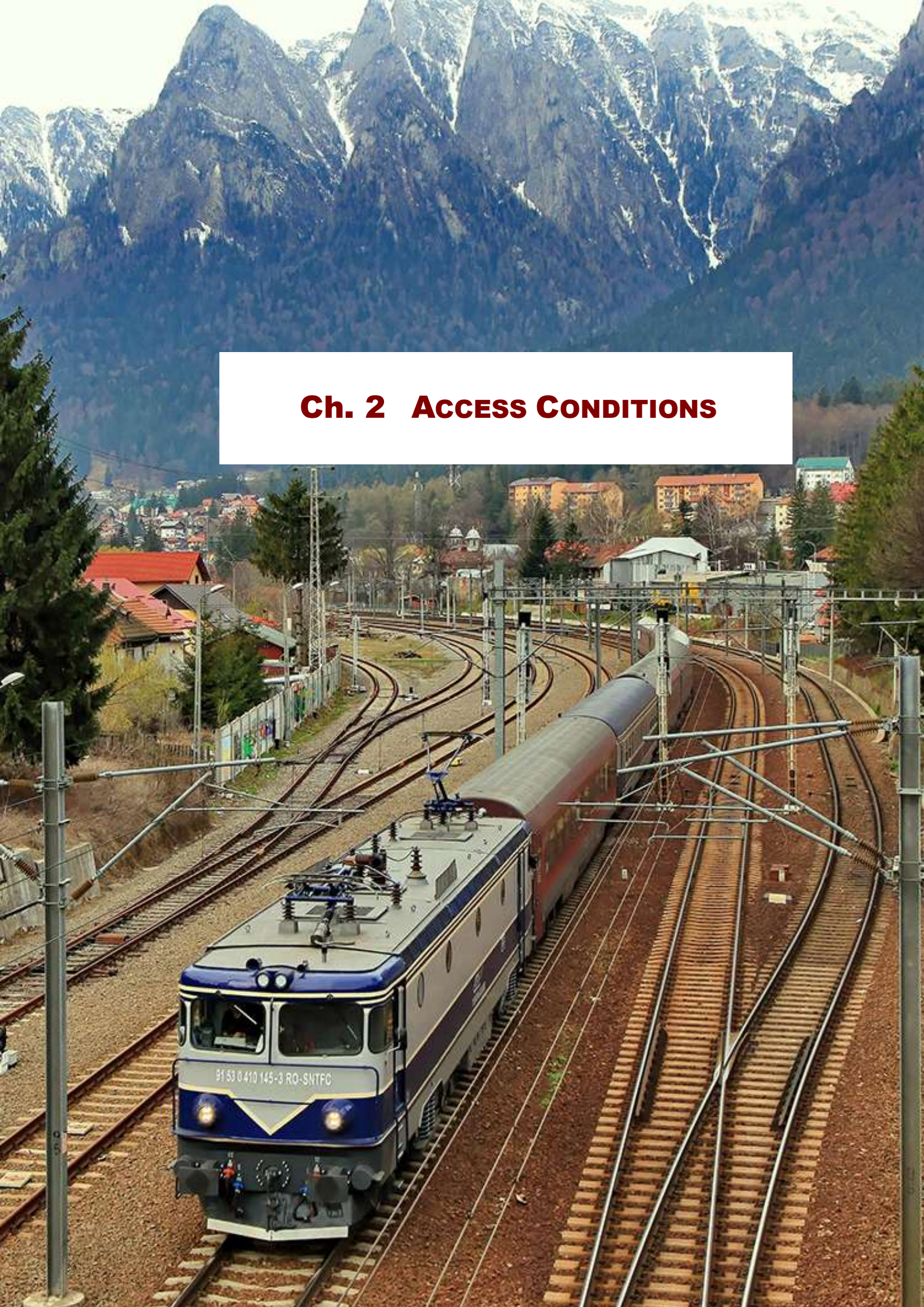
24. Working Timetable - means the graphical representation in space and time of the movement of the trains on a given route, usually for a period of time of 24 hours.

An explanatory English dictionary of the commonly used railway terms may be found on the website of RNE:

http://rne.eu/wp-content/uploads/RNE_NetworkStatementGlossary_V8_2016_web.pdf

Back to **CONTENTS**

Ch. 2 ACCESS CONDITIONS



2.1 Introduction

The public railway infrastructure on the Romanian territory belongs to the Romanian State, and is awarded in concession to Compania Nationala de Cai Ferate "CFR"-SA in its capacity as infrastructure manager.

The concrete elements of the public railway infrastructure are defined in Annex 2 to GD No. 581/1998 on setting-up Compania Nationala de Cai Ferate "CFR"-SA, as further amended, and in Annex 1 to Law No. 202/2016.

The access to the railway infrastructure is granted on a non-discriminatory basis to all the RUs that fulfil the necessary and sufficient conditions, and require and conclude an access contract with CFR or an allocation agreement in case of the other applicants.

2.2 General Access Requirements

The access to the Romanian railway infrastructure is granted in accordance with the normative acts out in [Annex 25](#).

2.2.1 Requirements to be Complied with by an Applicant

An infrastructure capacity may be requested by an applicant (RU) defined in accordance with Article 3(28) of Law No. 202/2016, as further amended and supplemented.

For requesting infrastructure capacity, the applicant shall fulfil the following requirements:

- If it is a Romanian or a foreign RU and/or an international grouping of RUs:
 - to hold a railway transport licence;
 - to hold a safety certificate for the routes requested and
 - to have concluded an infrastructure access contract with CFR;
- if it is a non-RU applicant, it shall hold an allocation agreement concluded with CFR SA.

2.2.2 Who is Allowed to Perform Freight or Passenger Train Operations

The freight or passenger transport may be performed by the RUs that hold:

- a railway transport licence;
- a safety certificate;
- an access contract concluded with CFR;
- train paths allocated for the transport route.

For the traffic on the CFR railway lines at the border – at the first border station on the Romanian territory, the foreign RUs may run on the railway infrastructure in accordance with the law, and the international conventions and agreements to which Romania is a party.

In such cases, the access right is granted in accordance with the Intergovernmental Agreement regarding the performance of the railway traffic at state borders concluded between Romania and the neighbouring country.

2.2.3 Licence

The railway transport licence means an authorisation issued by a licensing authority to an undertaking, by which its capacity to provide rail transport services as a railway undertaking is recognised; that capacity may be limited to the provision of specific types of services.

The railway transport services on the Romanian railways are classified in the following types:

- a) Type A – passenger railway transport performed in the public and/or own interest;
- b) Type B – freight railway transport performed in the public and/or own interest;
- c) Type C – only railway shunting in the public and/or own interest.

The railway transport licence is granted in accordance with the provisions of Law No. 202/2016, of OMT No. 683/2017 on approving the charges for the specific services supplied by AFER, and of GD No. 361/27.07.2018 on approving the procedures for granting railway transport licences. The authority responsible for granting railway transport licences in Romania is the Romanian Railway Licensing Body (OLFR), an independent body functioning within the Romanian Railway Authority – AFER.

The railway transport licence granted by OLFR is also valid in the other EU Member States for comparable railway transport services.

OLFR and CFR acknowledge the validity on the Romanian railways of the railway transport licences granted by the authorities responsible for licensing the RUs in the other EU Member States, for a service of equivalent nature to the one specified in the licence, in accordance with the applicable Community law, respectively Law No. 202/2016.

Contact data:

The Romanian Railway Licensing Body - OLFR

Address:	393 Calea Griviței, 1 Bucharest, Romania
Phone:	+4021.307.79.07 +4021.307.79.45
Fax:	+4021.316.05.97 +4021.307.79.87
Web:	www.afer.ro/rom/OLFR
Email:	olfr@ofer.ro

2.2.4 Single Safety Certificate

The single safety certificate is the document certifying the fact that a RU holding a licence may supply a type of railway transport service on the traffic sections of the Romanian railways.

The safety certificate is issued in accordance with:

- Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented;
- GD No. 361/2018 on approving the procedures for granting railway transport licences;
- Order no. 932/2020 on measures for the implementation of Commission Regulation (EU) 2018/763 of 9 April 2018 laying down practical arrangements for the issuance of single safety certificates for railway undertakings;
- Order No. 743/2020 on issuing the single safety certificate to the undertakings performing only railway shunting operations on the Romanian railways;
- GEO No. 73/2019 on railway safety transposing Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union, and Directive (EU) 2016/798 of the European Parliament and the Council of 11 May 2016 on railway safety into the national law.

The authority responsible for granting safety certificates in Romania is the Romanian Railway Safety Authority (ASFR), an independent body functioning within the Romanian Railway Authority – AFER.

The safety certificate Part A is also valid in the other EU Member States for comparable railway transport services.

ASFR acknowledges the validity on the Romanian railways of the safety certificates which confirm the acceptance of the safety management system (Part A), and are granted by the authorities responsible for the safety certification of the RUs in the other EU Member States, for comparable railway transport services, in accordance with the applicable Community law, respectively Order No. 743/2020 on issuing the single safety certificate to the undertakings performing only railway shunting operations on the Romanian railways, and Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented.

The contact data of ASFR:

The Romanian Railway Safety Authority – ASFR

Address: 393 Calea Griviței, 1 Bucharest, Romania
Phone: +4021.307.79.06
Fax: +4021.316.42.58
Web: www.fer.ro/asfr/

2.2.5 Cover of Liabilities (Mandatory Insurance, State Guarantee)

In order to obtain the licence, the RU shall conclude insurance contracts with certified insurance companies or take the necessary measures for covering its civil liability in case of railway accidents or technical incidents related to the requested railway transport services, in accordance with GD No. 361/2018 on approving the procedures for granting railway transport licences. These insurances are attached to the licence issued by OLF, and are submitted to CFR upon concluding the access contract.

2.3 General Business Terms and Conditions

2.3.1 Framework Agreement

The framework agreement is regulated by Article 42 of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, which sets down that CFR may conclude a framework agreement with an applicant. This framework agreement refers to the characteristics of the railway infrastructure capacities requested by an applicant as well as of the infrastructure capacities offered to it, for any period of time exceeding one working timetable period. The framework agreement will not specify the train path in detail, but it will be drawn up so that it may meet the commercial needs of the applicant.

This framework agreement is subject to the prior approval of the National Railway Supervision Council.

Up to now, no RU has requested to conclude any framework agreement.

2.3.2 Access Contract Concluded with the RU

For the access to the railway infrastructure managed by CFR, the RU shall conclude an infrastructure access contract with CFR.

The access contract sets down the rights and obligations of CFR and of the RU with regard to the allocation and use of the infrastructure capacities as well as to the other services provided or supplied by CFR.

The access contract is generally concluded for the validity period of a timetable, and has a standard structure applicable to all the RUs, for the same traffic type.

The access contract includes at least the following provisions:

- a) the services offered to the RU, in accordance with Annex II to Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, classified per categories as follows:
 - minimum access package;
 - access, including track access, to service facilities, if they exist, and supply of services within these facilities;
 - additional services;
 - ancillary services;
- b) the railway infrastructure operating rights and the allocated train paths;
- c) the obligations and responsibilities of the parties;
- d) the performance parameters regarding the quality of the contracted services;
- e) the level of the IAC and of the charges for the other services included in the contract;
- f) the duration of the contract and the termination clauses;
- g) other elements.

The contract also sets down the rights and obligations of CFR and of the RU with regard to the allocation of capacities.

The access contract shall be concluded between CFR and the RU before the allocation of the requested train paths.

The access to the railway stations and the freight terminals is included in the access contract.

The standard template of the access contract is set out in [Annex 4.a](#). This is mandatory for the RU requesting to use the railway infrastructure managed by CFR. Its structure can be modified in accordance with the development of the law in the railway field.

For the conclusion of the access contract, the RU shall submit the documents set out in [Annex 5.a](#). The list of the RUs that concluded access contracts with CFR up to the publication date of this NS is set out in [Annex 6](#).

2.3.3 Allocation Agreement Concluded with Other Applicants than RUs

In accordance with the provisions of Article 38(2) and (3), and of Article 41(1) of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, CFR may also conclude contracts with other applicants than the RUs, as defined in Article 3(28) of the same law:

- other natural or legal persons or entities (such as the competent authorities under Regulation (EC) No. 1370/2007 on public passenger transport services);
- shippers, freight forwarders and combined transport operators that want to obtain capacities for public-service or commercial activities.

The allocation agreement sets down the rights and obligations of CFR and of the applicant in terms of train path allocation.

The allocation agreement is generally concluded for the validity period of a timetable, and has a standard structure applicable to all the applicants.

The allocation agreement includes at least the following provisions:

- a) the train paths allocated to the applicant;
- b) the RU designated by the applicant for the use of each train path allocated to the applicant;
- c) the obligations and responsibilities of the parties;
- d) the performance parameters regarding the quality of the contracted services;
- e) the level of the charges for the services included in the contract;
- f) the duration of the contract and the termination clauses;
- g) other elements.

2.4 Operational Rules

The specific operational rules are set out in the Railway Instructions approved by means of an order of the Minister of Transport or other national or international legal provisions.

The national rules are published by the issuer, usually in the Official Gazette of Romania, and in other specific publications or leaflets.

The international rules are published by the issuer in specific publications.

The list of the operational instructions and regulations applicable on the Romanian railway infrastructure is set out in [Annex 7.a](#). They may be made available to the RUs by CFR free of charge, in electronic format.

The Romanian language is used on the Romanian railway network. The international documents mentioned by the RUs shall be submitted in Romanian.

2.5 Exceptional Transports

A transport is considered exceptional if, due to its dimensions, its loading gauge or its weight, in correlation with the characteristics of the railway infrastructure on which it will run, it can be admitted only when complying with certain special technical or operating conditions.

The following transports are considered exceptional transports:

- a) the loads that do not comply with the binding conditions set out in the UIC Loading Guidelines;
- b) the loading units that need to be transhipped, if the mass of each object exceeds 25 tonnes;
- c) the shipments that have to be loaded on a ferry-boat and comply with the provisions set out in GCU and CUV (former Annex IV to RIV);
- d) the wagons with more than 8 axles, if loaded;
- e) the railway track vehicles running on own wheels which represent the purpose of a transport contract, if not marked;
- f) other transports representing the purpose of the specific instructions approved by means of the order of the Minister of Transport.

For the guidance of the exceptional transports in the international traffic, there are needed taking-over agreements from all the railways participating in the transport or only from the railways holding the lines on which the relevant transports are considered exceptional. The taking-over agreements are to be requested and obtained by the RU.

The detailed regulations on exceptional transports are set out in the ***Instructions on Approving and Dispatching Exceptional Transports on the Public Railway Infrastructure – No. 328/2008***.

The method of allocating infrastructure capacity for exceptional transports is described in Article 4.4.

CFR may offer assistance for the performance of exceptional transports in accordance with the conditions specified in Article 4.7.

The department responsible for approving the exceptional transport traffic on the CFR Network is:

- a) the Central Office for Railway Traffic Coordination of the Traffic Directorate for the international transports and for the transports in the area of two or several regional railway branches. Contact data:

Traffic Directorate, Central Office for Railway Traffic Coordination

Address: 38 Dinicu Golescu Blvd., 1 Bucharest 010873, Romania
Phone: +40 21 319 25 10
Fax: +40 21 319 25 11
Mobil: +40 722 693 161
E-mail: nicuta.borcan@cfr.ro

- b) the Regional Railway Branch for the transports in the area of only one regional railway branch.

2.6 Dangerous Goods

Dangerous goods (substances) (DS) are those chemical products that, during the transport on the railways (in tank wagons, containers or other packages), due to some traffic accidents, damages to the means of transport or packing, unexpected chemical reactions, non-compliances with the packing and transport technical norms or some other unexpected factors, may lead to the occurrence of explosions, fires, gas, vapour, aerosol or toxic liquid emissions released on the ground and in the environment. The explosion, fire, gas or vapour emissions may occur directly in the means of transport or/and following the spreading of the dangerous substance on the ground.

The dangerous substances (goods) may be transported by rail in tank wagons, containers or other types of packing units, in form of:

- gas, at normal pressure;
- compressed gas;
- liquid gas;
- liquid;
- solid (compact, crystals, powders).

In order to be permitted to transport dangerous goods on the CFR network, the freight RUs shall have the remark "inclusively dangerous goods" included in the licence, in the "Service Type" column.

On the CFR network, there apply the provisions of the Regulation concerning the International Carriage of Dangerous Goods by Rail (RID) as well as other specific regulations set out in the railway instructions, whereas some of these are mentioned below:

- GD No. 1175/2007 on approving the Rules for transporting dangerous goods in Romania;
- Regulation concerning the International Carriage of Dangerous Goods by Rail RID – Appendix C to the Convention concerning International Carriage by Rail (COTIF) signed in Bern on 9 May 1980, and amended by means of the Protocol ratified by means of the GO No. 69/2001 which was approved by means of Law No. 53/2002;
- GO No. 7/2005 on approving the Regulation on the Romanian railway transport, republished;
- OMT No. 590/2007 for establishing the rules on the domestic transport of dangerous goods by rail.

The infrastructure capacity allocation method for the transport of dangerous goods is set out in Article 4.4.

CFR may provide assistance for the performance of the transport of dangerous goods in accordance with the conditions set out in Article 4.7.

The body responsible for approving the transport of dangerous goods on the CFR Network is:

Traffic Directorate, Central Office for Railway Traffic Coordination

Address: 38 Dinicu Golescu Blvd., 1 Bucharest 010873, Romania
Phone: +40 21 319 25 10
Fax: +40 21 319 25 11
E-mail: nicuta.borcan@cfr.ro

2.7 Rolling Stock Acceptance Process Guidelines

In accordance with the regulations in force, the RU is responsible for the rolling stock (RS) in its trains. Therefore, the RU is responsible for the authorisation of its own RS, the check of the RS it uses or the acceptance of the RS from another RU at the border stations (by concluding taking-over agreements).

CFR is not responsible for the homologation of the rolling stock, whereas the relevant responsible authority is the Romanian Railway Notified Body (ONFR) which functions within AFER, and has the following contact data:

The Romanian Railway Notified Body - ONFR

Address: 393 Calea Griviței, 1 Bucharest, Romania
Phone: +4021.307.79.00
Fax: +4021.316.42.58
+4021.316.05.97
Web: www.afer.ro/rom/ONFR
Email: office.onfr@afer.ro

2.8 Staff Acceptance Process

The operating staff of the RU who have traffic safety related responsibilities, and are to perform specific railway transport activities on their own liability shall hold authorisations for exerting the relevant positions issued by AFER in accordance with OMT No. 2262/2005.

The locomotive drivers shall hold a locomotive driver permit issued by AFER in accordance with GD No. 1611/2010 on the approval of the norms on licensing locomotive drivers.

The locomotive driver permit and the authorisation shall be issued upon the RU's request, following the examination of the professional knowledge.

ASFR is the body within AFER responsible for issuing locomotive driver permits, and authorisations for exerting a position. The contact data are set out in Article 2.2.4. – Safety Certificate.

The compliance with the staff acceptance conditions is verified both during the process of granting the safety certificate to the RU and during the performance of the activity by the RU.

The RU shall also hold its own training staff or a contract with an authorised entity.

CENAFER is the national body within the Ministry of Transport, Infrastructure and Communications appointed to ensure the formation-qualification, training and regular professional examination of the staff performing specific railway transport activities under conditions of traffic safety, transport security and railway service quality, and to participate in the commissions authorising the staff with railway traffic safety related responsibilities.

CENAFER was set up in accordance with GO No. 58/2004, approved by means of Law No. 408/2004, and is organised and functions as a public institution with legal personality, subordinated to the Ministry of Transport, Infrastructure and Communications, and has the following contact data:

The National Centre for Railway Qualification and Training – CENAFER

Address: 343B Calea Grivitei, 1 Bucharest, Romania
Phone: +4031 620 39 02
Fax: +4031 620 39 11
Web: www.cenafer.ro
Email: cenafer@cenafer.ro

Back to **CONTENTS**

Ch. 3 INFRASTRUCTURE



3.1 Introduction

The information provided in this chapter is the one valid at the drafting date of the NS. If there appear significant modifications of the characteristics of the railway infrastructure during the validity period of the NS, these will be included in the published modifications.

For the case when one of the activities included in this chapter is provided by another entity than CFR (in the capacity as IM), there was mentioned the relevant information specific to the activity or there were made references to the provisions comprising it.

The organisation of CFR and of the performed activities are set out on its own Internet page: www.cfr.ro

The railway infrastructure includes the railway infrastructure in the public ownership of the State, hereinafter called the public railway infrastructure, as well as that in private ownership, hereinafter called the private railway infrastructure.

The management of the railway infrastructure in the public or private ownership of the State is provided by Compania Nationala de Cai Ferate "CFR"-SA (hereinafter called CFR), to which the public railway infrastructure is awarded in concession, without payment of any royalty, and which owns the other elements of the railway infrastructure set out in Annex 2 to GD No. 581/1998 regarding the setting-up of CFR.

Some parts of the State's public railway infrastructure can be awarded in concession, in accordance with the law, to other national companies under the authority of the Ministry of Transport and Infrastructure in compliance with the national and Community regulations. For the time being, CFR is the only national company empowered to manage the public railway infrastructure.

The concrete elements of the public railway infrastructure are defined in Article 11(1) of GO No. 12/1998, and are set out in GD No. 581/1998 and Annex I to Law No. 202/2016.

The other elements of the railway infrastructure assembly which are not mentioned above represent CFR's private property in accordance with Article 11(3) of GO No. 12/1998.

3.2 Extent of Network

The railway network managed by CFR has the general characteristics set out in [Annex 12](#).

The map of the Railway Network with its main characteristics highlighted is set out in [Annex 1.a](#).

3.2.1 Network Limits

The public or private railway network managed by CFR covers rather evenly the territory of Romania, and serves most of the economic and urban hubs. The railway network managed by CFR is connected to the European railway network through the neighbouring railway administrations, namely: Hungary (MAV), Serbia (ZS), Bulgaria (NRIC), Moldova (CFM), and the Ukraine (UZ). The border stations between the railway network managed by CFR and the railway network of the neighbouring railway administrations are set out in [Annex 11](#).

3.2.1.1 Interoperable and Non-Interoperable Railway Infrastructure

The State's public or private railway infrastructure includes the infrastructure that can be connected to the trans-European railway infrastructure as well as the infrastructure that cannot be connected to this, as follows:

- a) the interoperable railway infrastructure;

b) the non-interoperable railway infrastructure. The list of these sections is set out in [Annex 8.a](#) to the NS (it is taken over from Annex 3 to GD No. 643/2011).

CFR may lease to other legal entities parts of the public non-interoperable railway infrastructure to be managed with a view to organising the public freight and passenger transport.

The leasing conditions for some parts of the non-interoperable railway infrastructure are set out in GD No. 643/2011, and shall be included in the framework lease contract set out in [Annex 27](#).

The legal entities that lease sections of the non-interoperable railway infrastructure shall be authorised by AFER as infrastructure managers in accordance with Article 12 of GD No. 643/2011.

Up to now, CFR has concluded lease contracts with 5 non-interoperable railway infrastructure managers. The leased sections are set out in [Annex 8.a](#).

The length of the interoperable and non-interoperable railway infrastructure is structured as follows:

- the length of the route of the interoperable railway infrastructure network: 6 804 km;
- the length of the route of the non-interoperable railway infrastructure network: 3 824 km

The map of the railway stations, and of the interoperable and non-interoperable railway lines with highlighted IMs that have leased non-interoperable lines from CFR is set out in [Annex 1.b](#).

The stations situated on the two types of infrastructure are set out in the general list of stations in [Annex 9.a](#) which also indicates the infrastructure manager that leased them, the operators of service facilities in these stations and the services supplied in these stations.

3.2.1.2 Management of Non-Interoperable Railway Infrastructure

The non-interoperable infrastructure is managed in accordance with the conditions set out in GD No. 643/2011 which mainly stipulates that:

- a) The operational management of the train traffic on the traffic sections that belong to the non-interoperable railway infrastructure shall exclusively be performed by CFR through its own railway traffic management structures, in accordance with the law.
- b) The train traffic management at the level of the railway stations, and of other sectioning points on the traffic sections that belong to the non-interoperable railway infrastructure shall exclusively be performed with the staff authorised by AFER, under the coordination of CFR's railway traffic management structures, in compliance with all the traffic safety norms, and in accordance with the regulations in force.
- c) The access to these lines shall be granted pursuant to an access contract concluded between the railway infrastructure manager and the RU, and against the payment of an IAC that cannot exceed the value of the IAC levied by CFR for similar sections and conditions. The specific charging conditions are set out in Chapter 6 of the NS.

3.2.2 Connection to the International Network

The CFR Network has connections to all 5 neighbouring countries, as set out in the chart in [Annex 1.a](#), and in the table with the technical characteristics of the border stations and the relevant terminals in [Annex 11](#).

3.2.3 Further Information

The legal documents that include provisions regarding the railway infrastructure and to which we refer are mainly those specified in [Annex 25](#).

3.3 Network Description

3.3.1 Technical Characteristics

The characteristics of the network are summarised in [Annex 12](#).

The detailed description of the technical characteristics of the CFR network is set out in the Railway Infrastructure Register, RINF, prepared in accordance with the provisions of Article 47 of Decision No. 108/2020 on railway system interoperability. Pursuant to it, "The Romanian Railway Notified Body which functions within the Romanian Railway Authority shall publish an infrastructure register indicating the values of the network parameters of each subsystem or of each part of the subsystem concerned, as provided in the relevant TSIs. The parameter values recorded in the infrastructure register shall be used in combination with the parameter values recorded in the vehicle marketing authorization to verify the technical compatibility between the vehicle and the network. The infrastructure register may set down conditions for using the fixed installations, as well as other restrictions. The Romanian Railway Notified Body which functions within the Romanian Railway Authority shall update the infrastructure register in accordance with the provisions of Article 49(5) of Directive 2016/797".

RINF can be accessed at: <https://rinf.era.europa.eu/rinf>

3.3.1.1 Track Type

Out of the 10 628 km of the CFR railway network, there are:

- 2 917 km of double-track line;
- 7 711 km of single-track line.

These lines are highlighted on the map set out in [Annex 1.a](#).

3.3.1.2 Track Gauge

The CFR railway network has the European (normal) gauge of 1 435 mm.

Nevertheless, there are some short sections at the railway borders with the Ukraine (UZ) and the Republic of Moldavia (CFM), where the line with normal gauge is doubled by a line with the wide gauge of 1 520 mm along the distance from the CFR border station to the neighbouring railway administration. These lines are set out in [Annex 11](#).

Moreover, a 44 km long peage line with wide gauge (1 520 mm) is situated on the Romanian territory between the stations Teresya (UZ) – Campulung la Tisa (CFR) and Valea Viselui (CFR) – Berlibas (UZ).

In order to ensure the uninterrupted international railway traffic from the normal gauge to the wide gauge, there are provided at the Romanian borders with the Ukraine and the Republic of Moldavia the transshipment stations and transposition stations that are set out in the table included in [Annex 11](#).

The transshipment stations ensure the transshipment (move) of the goods from the normal gauge wagons to the broad gauge wagons and vice versa.

The transposition stations ensure the transposition of the normal gauge wagons (the change of the axles/bogies) to the broad gauge wagons and vice versa.

The gauge of the lines is shown on the map in [Annex 1.a](#).

3.3.1.3 Railway Stations and Nodes

The stations are sectioning points with lines for train traffic, shunting operations and other railway transport operations. In the meaning of this NS, stations also refer to movement halts.

There are on the railway network managed by CFR 904 stations.

The general list of stations is set out in [Annex 9.a](#). This also includes the presentation of the service facilities existing in these stations, and of the services supplied with the help of these facilities.

The railway nodes are the stations with more than two travelling ways or the connections (railway branches) of the running line.

The distances between the stations (nodes) are set out in the rail service books which are drawn up and published annually by CFR, and regularly in the „Kilometre indicator”.

The CFR Stations are shown on the railway map in [Annex 1.a](#).

3.3.2 Network Characteristics

3.3.2.1 Loading Gauge

The Loading Gauge on the CFR network is “the CFR wagon loading gauge” the sizes of which are set out in the UIC Loading Guidelines (former Annex II RIV).

The Loading Gauge applicable on the CFR network is indicated in the Instructions No. 328/2008 on exceptional transports on the railway infrastructure set out in Article 2.5. of the NS.

The transports exceeding the sizes of “the CFR wagon loading gauge” are considered exceptional transports (out-of-loading gauge), and are dealt with in accordance with the Instructions No. 328/2008 for each and every case and route.

3.3.2.2 Weight Limits

The maximum axle load for the lines of CFR is 20 tones/axle.

The maximum weight admitted per linear meter of the lines of CFR is 7.2 tones/meter.

The transports exceeding the maximum admitted load and/or the maximum admitted weight are considered exceptional transports (with exceeded tonnage), and are dealt with in accordance with the Instructions No. 328/2008 for each and every case and route.

3.3.2.3 Line Gradients

The CFR line gradients are indicated in [Annex 10](#).

3.3.2.4 Admitted Line Speed

The CFR railway network permits conventional running speeds of maximum 160 km/h. There is no high-speed line in Romania.

The maximum speed admitted on each traffic section is indicated in the rail service books which are drawn up by CFR annually, before changing the timetable, and which are made available to the RUs. The rail service books may be ordered before the entry into force of a timetable or may be studied, upon request, at the headquarters of the Traffic Directorate of CFR. The contact data are:

Traffic Directorate, Capacity Allocation Office

Address: 38 Dinicu Golescu Blvd., 1 Bucharest 010873, Romania
Phone: +40 21 319 25 10
Fax: +40 21 319 25 11
E-mail: ionut.stupinaru@cfr.ro

3.3.2.5 Maximum Train Lengths

The maximum train lengths on a certain traffic section are limited by the maximum useful length of the lines in the receiving/dispatching stations with the lowest useful lengths on the relevant section. In certain cases, CFR may approve a longer train length if some certain specific operating conditions are complied with.

The useful lengths of the lines in the stations are included in the Technical Operation Plans of each station, and may be made available by the Traffic Directorate. The contact data are those specified in Article 1.8 of the NS.

3.3.2.6 Traction Current

Commencing with 1 September 2014, the traction current is purchased on the electricity market OPCOM by SC "Electrificare CFR" SA, a specialized subsidiary of CFR. The traction current (TC) is transformed from 110 KV to 25 KV in the CFR traction substations, and is distributed in the contact wire.

The elements of the traction current supply system are part of the public railway infrastructure managed by CFR, and are leased to be managed by SC "Electrificare CFR" SA.

The traction current is paid by the RU on the basis of a current supply contract concluded between SC "Electrificare CFR" SA and the RU, which includes provisions regarding the consumption forecast and supervision modality, and the charging and billing modality, applicable both to the locomotives equipped with meters, and to those without meters. The standard template of this contract is set out in [Annex 19](#). If the amounts owed for the supplied traction current are not paid, SC "Electrificare CFR" SA reserves the right to withdraw the access to the electrified railway infrastructure.

The characteristics of the electrification system:

- the current supply voltage of the contact wire: 25 KV
- the frequency of the contact wire: 50 Hz.
- the height of the contact wire as to the head of the track: 5 750 mm
- the contact pressure of the pantograph on the contact wire: between 5 and 7 daN in accordance with EN 50119
- zig-zag +/- 200 mm

The map containing the electrified lines is set out in [Annex 1.a](#).

The contact data for obtaining information on the traction current supply system:

S.C. „Electrificare CFR” S.A.

Address: 38 Dinicu Golescu Blvd., 1 Bucharest
Phone: 021-3192512
Fax: 021-3119838
Web: www.electrificarecfr.ro
E-mail: secretariat@e-cfr.ro

3.3.3 Traffic Control and Communication Systems

The traffic control concept includes the signalling, traffic control, radio communication and automatic train control systems (installations).

3.3.3.1 Signalling Systems

The Romanian railway infrastructure is equipped with two-speed step signalling systems, and multiple-speed step signalling systems, both types being equipped with additional signalling devices, as necessary.

The indications of set or reduced speed are sent by the traffic lights, light signals, and indicators that are preceded by warning beacons, as necessary.

The signals mainly cover the sectioning points, the level crossings (barriers), and the running line branches, and are usually placed on the right side of the line, in the running direction of the train or above the line axis.

Depending on the signalling installations mounted in the stations and on the running lines, the following systems are used for organising the train traffic:

- a) the train traffic based on phone agreement – free way;
- b) the train traffic based on the Automatic Block Line (ABL);
- c) the train traffic based on the dispatching installation;
- d) the interlocked management of the train traffic.

The ABL traffic system is implemented on the main lines and on the lines with significant traffic.

For the control of the correct perception, interpretation and application of the signal indications by the driver, the signalling installations are supplemented with automatic train speed control and stop systems in case of a non-compliance with the signal indications. The INDUSI and ETCS systems have to provide at least:

- a) the spot or continuous control of the train speed depending on the train rank;
- b) the automatic braking of the train, if the driver is not watchful.

The level crossings are signalled with the help of 1.125 automatic signalling installations with and without half-barriers (automatic half-barrier at level crossing, automatic signalling at level crossing).

The specific regulations regarding the signalling used on the Romanian railway infrastructure are set out in the Signalling Regulation No. 004/2006 (see Article 2.4).

The arrangement of the traffic systems per traffic sections on the whole CFR network is set out on the map in [Annex 1.c.](#)

3.3.3.2 Traffic Control Systems

The traffic control is performed with the help of the switch control installations that ensure the switch operation according to the necessary train traffic route.

Most of the railway stations are equipped with interlocking systems, but there are also stations which are situated on low-traffic sections, and are equipped with key-operated switch and signal control systems.

Their classification is the following:

- 61 electronic interlocking systems
- 15 electromechanical interlocking systems with computer-assisted control station
- 575 electrodynamic interlocking systems
- 39 electromechanical interlocking systems
- 152 interlocking installations
- 153 non-interlocking installations

The stations and the relevant type of interlocking systems are set out on the map in [Annex 1.c.](#)

3.3.3.3 Radio Communication System

The radio communication system is used for the ground-train communications (between the traffic manager and the train driver) with regard to the traffic safety and the shunting activity.

The CFR radio communication system is dedicated to the Romanian railway infrastructure.

This radio communication system works on the basis of the Emergency Ordinance No. 79/2002 regarding the general regulatory framework for communications approved with amendments and supplements by

means of Law No. 591/2002, as further amended and supplemented. Articles 22 to 31, Article 55(1)(g) and (2) of the Emergency Ordinance No. 79/2002 were abrogated by means of Law No. 154/2012 on the regime of the infrastructure of the electronic communications networks.

Based on the above-mentioned legislation, CNCF "CFR" SA received the licence MT-PMR 0145/2006 which grants it the right to use radio frequencies for the provision of electronic communications networks for private use in the terrestrial mobile service.

The licence was obtained for the use of frequencies in accordance with the following technical and operational conditions:

- Network coverage: National
- Communications type: Voice
- Operation mode: Simplex
- Frequency channel: 12.5KHz/25KHz
- Frequency band: 146 000 – 146 800 MHz

The common frequencies are the following:

146 200 MHz and 146 225 MHz - for traffic

146 125MHz; 146 150MHz; 146 175MHz; 146 250MHz; 146 375MHz as well as other frequencies from the frequency band (146 000 – 146 800) MHz - for shunting;

In order to have access to the CFR railway infrastructure, any RU shall ask CFR to approve the use of some frequencies specific to the railway radio communication system according to the activities to be carried out. Every RU will also attach to the request for frequency the technical sheets of the radio transmission devices to be used.

The technical characteristics of the radio transmission devices shall comply with the requirements of ANCOM (The National Authority for Management and Regulation in Communications) included in [Annex 13](#).

The RU may lease, against payment, radio transmission devices from SC "Telecomunicatii Feroviare" SA, CFR's specialised subsidiary, within the limits of the available stock.

CFR grants to each railway undertaking, within the access package included in the IAC, the right to use the traffic frequencies as well as some shunting frequencies – specific to each RU, according to the frequency allocation authorizations, dedicated to each CFR radio communication network.

For the approval of the RU specific frequencies and more information on the radio communication system, the RU may contact:

Compania Natională de Cai Ferate - CFR SA, Installation Directorate

Phone: +40 21 319 24 50

Fax: +40 21 319 24 51

3.3.3.4 Train Traffic Control Systems

The INDUSI I-60 system is implemented on the whole CFR railway network.

The ETCS system Level 1 was mounted on the Bucharest-Campina and Bucharest – Constanta sections.

3.3.4 Organisation of Railway Traffic Operation

3.3.4.1 Train Traffic Management

At present, the train traffic management on the CFR network is performed with the help of 8 regional traffic regulators (RTRs), and 10 traffic regulators (TRs) coordinated at central level by the Central Office for Railway Traffic Coordination (CORTC) within the Traffic Directorate. The RTR and TR activity is carried out by traffic operators being responsible for several traffic sections for which they manage the traffic in accordance with the information received, and the instructions sent to the traffic managers in the stations. The traffic data are sent by the stations by phone and by means of the IT applications of the IRIS system (the Integrated Railway Information System) which is implemented in over 600 stations, in all the RTRs, TRs, and in CORTC.

The IRIS system supplies the monitoring of the railway traffic, the graphical representation of the train paths, and of their position. The system comprises three main components:

- Atlas - for train scheduling
- Cronos - for train traffic reporting by the TM
- Focus - for train traffic monitoring

IRIS is not a traffic management system, and it does not contribute to the train traffic safety, whereas it acquires, processes and monitors the train traffic data.

The IT system IRIS is developed and maintained by SC "Informatica Feroviara" SA, CFR's branch specialized in IT services. On the basis of a contract, SC "Informatica Feroviara" SA may supply to the railway undertakings IT railway services, including those referring to train traffic (statistics, position of trains, value of the infrastructure access charges, specific applications, etc.).

3.3.4.2 Train Traffic Scheduling and Analysis

Trains may run on the Romanian railway infrastructure only if they are included in a timetable, and are assigned a number and a pre-established schedule.

The train traffic scheduling represents the process of allocating traffic capacity to the passenger and freight railway undertakings. This process has two stages:

- the drafting of the annual timetable (of the working timetable) – the long-term traffic capacity allocation; by means of this process, the traffic capacities are allocated to the railway undertakings (as train paths), and the time intervals are defined for the performance of the maintenance works on the railway lines, and the traffic safety installations.
- the drafting of the daily timetable – the very short-term traffic capacity allocation; by means of this process, there are performed the last minute modifications (the requests of the railway undertakings, and the assessment of the consequences of the unforeseen events on the railway infrastructure) for one day.

In fact, the daily timetable is the adaptation/operative modification of the timetable depending on the condition of the railway infrastructure, and the requests of the railway undertakings.

By means of the daily timetable, CFR, based on the requests of the railway undertakings, establishes which train paths that have been allocated to them are to be used within a 24-hour period of time. Moreover, there are drafted paths additional to the rail service books for the trains which, for various reasons, cannot use the paths existing in the annual working timetable.

The daily timetable is in fact a *forecast* of the train traffic during a 24-hour interval from 0.00 o'clock to 23.59 o'clock.

In cases of unavailability of the railway infrastructure (accidental interruption of the railway traffic, temporary capacity restrictions, etc.) the usage of the paths may be suspended, and when there are alternative routes, the trains may run on these routes at the request of the RU.

Operational procedure train traffic scheduling in [Proceduri Operationale](#)

The technical and operational analysis of the train traffic is carried out by the railway infrastructure manager that establishes the way in which the railway infrastructure capacities allocated to the railway undertakings have been used by taking into account:

- the deviations as to the working timetable which occurred in the train traffic (delays and earlier arrivals);
- the statistical data on the quantitative analysis of the train traffic (volume of service supplied);
- the statistical data on the qualitative analysis of the train traffic (deviations from the daily timetable and the traffic regularity).

The analysis of the implementation of the timetable, respectively its adaptation to the needs of the RU, and to the needs of railway infrastructure maintenance and repair is performed from:

- a) a quantitative point of view: estimation of the volume of service supplied (train-kilometres travelled);
- b) a qualitative point of view: estimation of the quality of the service supplied (determination of the disturbing factors that affect the traffic capacity of the railway infrastructure, and the way of planning the train traffic in relation to the allocated paths, on the basis of which remedial measures can be forecast).

The technical and operational analysis of the train traffic is to be performed in accordance with the provisions of the *Operational procedure: "Analysis of the Implementation of the Timetable"* in [Proceduri Operationale](#).

3.4 Traffic Restrictions

3.4.1 Specialized Infrastructure

CFR has not designated any specific (specialized) railway infrastructures for certain traffic flows complying with Article 49 of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented.

3.4.2 Environmental Restrictions

No environmental traffic restrictions are applied on the Romanian railway network.

3.4.3 Restrictions Related to Dangerous Goods

The dangerous goods are accepted for transportation on the basis of a timetable approved by CFR upon the request of the RU, which is to indicate all the characteristic data of the transported dangerous goods, and the special traffic conditions.

3.4.4 Tunnel Restrictions

The Romanian Railway Infrastructure comprises 171 tunnels with a total length of 62 km.

The tunnels are not restricted for the diesel traction traffic.

The loading gauge through the tunnels is: GA, GB, GC according to the construction year or the last overhaul. The transports exceeding the loading gauge of the tunnels are dealt with in accordance with Article 2.5 of the NS.

No out-of-loading gauge transports are permitted on the Oravita – Anina Line.

3.4.5 Bridge Restrictions

The Railway Network comprises 17 694 bridges and culverts (4 216 of them are bridges) with a total length of 143.65 km.

The traffic restrictions on the bridges refer to the loading gauge or to the load per linear meter. The restrictions are determined by the ratio between the bearing capacity of the bridge, and the load per axle or linear meter of the rolling stock.

The restriction refers to the enforcement of a value of the load per axle/linear meter or the speed restriction and tonnage acceptance. This restriction is mentioned at C3 in Annex II RIV.

These restrictions may be exceeded only after obtaining some special approvals which have to be required in advance by the RU.

3.5 Availability of the Infrastructure

In principle, the stations (the traffic sections) have full availability (uninterrupted activity), with the following exceptions:

- a) infrastructure maintenance or repairing works;
- b) infrastructure overhaul or upgrading works;
- c) activity suspended on low-traffic sections, during certain periods of the day;
- d) urgent works;
- e) force majeure cases;

There are set out in the annual working timetable "windows" (reserve capacities) for the maintenance and repairing of the railway infrastructure. They may be operatively cancelled if there are no works scheduled or the train paths allocated may contain remarks regarding the availability within the "windows" that are published before enforcing the timetable.

- a) The overhauling or upgrading works are scheduled in due time, and are set down in the working timetable.
- b) The activity may be suspended on certain low-traffic sections (for time intervals smaller than 24 hours), especially at night, if no train path is allocated.

The intervals for suspending the activity are established according to the low-traffic periods in the working timetable. After the entry into force of the timetable, the traffic of the RU's trains within these time intervals is subject to a prior approval taking into account the technical possibilities, and the recovery of the additional costs for resuming the activity.

At the request of the RU, CFR may supply the services related to the resumption of the activity on the sections with suspended traffic, under the conditions set down at Article 5.6.

The list of these sections and suspension intervals is set out in [Annex 14](#).

- c) If urgent works on the railway infrastructure are necessary in the situations when there is a danger for the traffic safety, CFR orders the closure of the traffic on the relevant sections until the repairs have been performed.

- d) If the infrastructure is affected due to a force majeure case making the railway infrastructure unavailable, the RUs are operatively notified, and alternative train paths are made available to them on deviated routes. The specific provisions are set out in the access contract (see [Annex 4.a](#)).

These cases of unavailability of the infrastructure are notified to the RUs in accordance with the provisions of Article 53 of Law No. 202/2016. At the same time, the schedule of the railway infrastructure capacity allocation process is established in accordance with the provisions of the Annex to GD No. 1969/2006 on approving the Regulation for the allocation of railway infrastructure capacity.

3.6 Service Facilities

This article contains data on the service facilities made available (held) by CFR, and the conditions for the access to them.

In accordance with the provisions of Article 4 and Article 5 of EU Implementing Regulation 2017/2177 on access to service facilities and rail-related services, the operators of service facilities shall make available to the public, free of charge, the description of the service facilities as follows:

- a) by publishing a link to be included in the NS on their own web portal or on a common web portal, and by making it available to the infrastructure manager - CFR;
- b) by making available the relevant information ready to be published and included in the NS to the infrastructure manager - CFR.

The operators of service facilities and the infrastructure managers shall submit to CFR the necessary links or information by 1 January of each year for publication, to address dr.cfr@cfr.ro, in the NS which is valid for the next year.

Moreover, if the operators of service facilities and the infrastructure managers modify the information regarding the service facilities operated, they shall have the obligation to send to the infrastructure manager, as soon as possible, the updated version to be published in the NS.

At the same time, there was published "*The Guide on Rail-Related Services and Service Facilities*", which contains information on the applicable rules and regulations, services and service facilities, the modality of granting access to these services and service facilities, the charging guidelines, as well as the conditions regarding the possibility of exemption from the provisions or a part of the provisions of EU Regulation 2017/2177. The guide can be consulted by accessing the following link:

http://www.consiliulferoviar.ro/uploads/docs/legislatie/ghid_infrastructura_servicii_2019.pdf

The service facilities, the operators of service facilities and services supplied in the railway stations for the operators of service facilities are set out in [Annex 9.a1. \(romanian version\)](#).

3.6.1 Passenger Stations

In line with the definition in EU Regulation 2015/1100 on reporting obligations of Member States in the framework of rail market monitoring, a passenger station means a place on a railway where a passenger rail service can start, stop or end.

In accordance with the normative acts in Romania, it actually comprises the stations defined pursuant to Article 1.11 of this document, which are open to the passenger traffic, as well as the stopping points.

The stopping point (SP) is the place on the running line on the railway network, which is equipped with platforms, with no siding lines, intended exclusively for stopping the trains for embarking and disembarking the passengers.

Most of the CFR stations are also open to the passenger traffic. The stations which are also open to the passenger traffic are mentioned in the overall list of stations set out in [Annex 9.a](#), and are equipped with specific facilities for the access of the passengers.

The location of the stations is shown in [Annex 1.a](#).

The access to the passenger stations is granted on a non-discriminatory basis to the passengers of the passenger trains, according to the technical availability.

The location of the stations and of the stopping points is also specified in the rail service books for the passenger trains as well as in the leaflet with the Timetable for passenger trains, which are annually prepared by CFR, before the entry into force of the timetable.

The services supplied by CFR for the passengers are specified in Chapter 5.

3.6.2 Freight Stations

CFR holds in some stations facilities for handling conventional freight. These facilities mainly consist in lines for shunting railway vehicles, loading/unloading lines, ramps and warehouses. The facilities are made available to the RUs on a non-discriminatory basis, according to the technical availability and the available capacities.

The access to these facilities is granted to the RUs holding a railway transport license of Type C at least, and to other operators that have access to the station lines on the basis of the contractual agreements.

There are also connected to the CFR network "freight terminals" which, in accordance with Implementing Regulation (EU) 2015/1100, mean places equipped for the transshipment and storage of intermodal transport units where at least one of modes of transport is rail, but which are not owned by CFR and for which the services are supplied by the operators of the relevant service facilities. The conditions of granting access to these terminals as well as their capacity are determined by the owner or the service operator.

The use of the freight terminals is not a part of the allocation process described in Chapter 4.

The list of the CFR stations equipped with facilities for handling goods is set out in [Annex 9.a](#). The location of the stations is set out in [Annex 1.a](#). Moreover, the location of the stations on the traffic sections is included in the rail service books for freight trains.

The services supplied by CFR within these facilities are set out in Chapter 5.

3.6.3 Marshalling Yards and Train Formation and Shunting Facilities

a) The marshalling yards are designed for the processing of freight wagon flows and their distribution (separation) to different destinations. The marshalling yards are specified in Annex 2 to [GD No. 581/1998](#); CFR holds one marshalling yards equipped with specific equipment for the processing of the freight trains such as:

- groups of specialized lines for the receipt, marshalling (breaking-up) and composition (formation) and dispatch of trains;
- marshalling humps or inclined planes.

b) The technical stations are equipped with the shunting facilities necessary for the breaking-up/formation of the passenger and freight trains;

c) The passenger train formation stations are the stations designed for the formation of the passenger trains, and are equipped with shunting facilities, specific technical facilities (line groups, fixed coach preheating systems, washing systems, etc.); in most cases, these facilities belong to CFR Calatori.

d) The shunting facilities are the infrastructure elements and related systems necessary for the access of the rolling stock from one station line to another, or to other service facilities held or not by CFR.

The access to these stations is granted to the RUs holding a railway transport license of Type C at least, and to other operators that have access to the station lines on the basis of the contract agreements.

The services supplied by CFR in the marshalling yards, and the technical stations are set out in Chapter 5.

The marshalling yards and the technical stations are specified in the overall list of stations in [Annex 9.a](#) where the traffic type for which they are open is specified.

3.6.4 Storage (Stabling) Sidings

Most CFR stations have sidings for parking the trains. These sidings can also be used for stabling the rolling stock on a short-term basis, subject to the available capacities.

Some stations which have a capacity in excess may be used for stabling the rolling stock for a longer period of time.

In some stations that have loading/unloading lines or public lines, CFR supplies the stabling service for performing the specific operations.

The loading/unloading lines are lines designated for this purpose, which are, in principle, equipped with ramps and/or storage rooms.

Public lines are lines which are made available to the users for loading/unloading operations, and are not mandatorily equipped with ramps.

The availability of the stabling sidings depends on the utilisation degree of these sidings, which has a dynamic evolution. For this reason, the situation of the stations that have available sidings for long-term rolling stock stabling can be obtained from the Traffic Directorate.

The access to the stabling sidings is granted to the RUs holding a railway transport license of Type C at least, and to other operators that have access to the station lines (for ex. DLF1) on the basis of the contract agreements.

The services supplied by CFR for the stabling sidings are set out in Chapter 5.

3.6.5 Maintenance Facilities

CFR does not hold facilities for the maintenance of rolling stock (wagons or locomotives). CFR grants only the access to these facilities which are held by service operators, mainly RUs.

3.6.6 Other Technical Facilities

CFR does not hold cleaning and washing facilities, but it grants access to this type of facilities, where appropriate.

At present, CFR does not hold other technical facilities such as facilities for detecting rolling stock faults, hot axle box detectors or rolling stock scales.

However, CFR has ongoing projects for the endowment with hot axle box detectors, axle counts and rolling stock scales, to be indicated after implementation.

3.6.7 Maritime and Inland Port Facilities Related to Railway Activities

CFR ensures the use of the maritime and inland port railway facilities held by CFR, and also grants access to the maritime and inland port facilities held by other operators. The situation of these facilities is set out in [Annex 9.d](#).

The access to these facilities is granted to the RUs holding a railway transport license of Type C at least, and to other operators that have access to the station lines on the basis of the contractual agreements.

The services supplied by CFR for the port facilities are: traffic, shunting, access of the shunting convoys to the loading/unloading lines on the berths, rolling stock stabling, line leasing, etc.

3.6.8 Relief Facilities

The relief facilities consist in the supply by CFR of the necessary interventions, in time and efficiently, with a view to eliminating the consequences of the railway events, and resuming the circulation/continuity of the railway traffic in case of railway accidents/incidents, with the help of specific relief means.

CFR holds the following relief facilities for resuming the railway traffic, and eliminating the effects of the railway accidents as well as of the bad weather:

- crane trains;
- emergency wagons;
- emergency train with hydraulic winches;
- simple snow ploughs;
- hydraulic snow ploughs;
- multifunctional track cars.

3.6.9 Refuelling Facilities

CFR does not hold refuelling facilities for the hauling equipment of the RUs. As a rule, these facilities are located in depots or sheds, and are owned by the RUs and are mentioned in [Annex 9.a](#). CFR grants access to these facilities, where appropriate.

3.7 Infrastructure Development

Infrastructure is the most important logistical resource of the railway transport, and the development of the infrastructure must be seen from the perspective of the need to develop the railway transport. The development of the railway infrastructure includes, first of all, the maintenance, repair and renewal actions necessary for the rehabilitation of the existing infrastructure, and its maintenance at the performance parameters necessary to support a competitive railway transport at national level. The development of the railway infrastructure also includes the modernization and development actions needed to meet the current and future mobility needs of the people and goods, as well as the identified requirements for increasing the competitiveness of the railway transport. Last but not least, the development of the railway infrastructure includes actions for modernizing the operation of the railway infrastructure, on the one hand, in order to increase the performance of the train traffic, and, on the other hand, in order to streamline the operation with a view to limiting the railway transport costs. Finally, the development of the railway infrastructure includes actions designed to maintain a high level of the train traffic safety, with a view to strengthening one of the important strengths of the railway transport on the transport market.

In accordance with the provisions of Article 8(1) of Law No. 202/2016, CFR, in collaboration with the specialized departments of the Ministry of Transport, Infrastructure and Communications, prepared the Strategy for the Development of the Railway Infrastructure in the Period of Time 2021-2025.

The strategy aims at substantiating the needs of financing the Romanian railway infrastructure for the next 5 years (period of time 2021-2025). Against this background, it should be noted that the general objectives, the specific objectives and the strategic actions are defined in accordance with a medium- and long-term strategic vision, which includes as benchmarks the years 2025, 2030 and 2050. But within each direction of strategic action there are identified actions with a priority nature from a time perspective, which should be carried out in the next 5 years. These priority actions are quantified in terms of estimated costs, in order to identify the financing needs for the next 5 years. It is envisaged not to exceed a sustainable financing level, estimated on the basis of the information available at the time of developing the strategy.

In accordance with the provisions of Article 8 of Law No. 202/2016, based on the financing need identified within this strategy, there is going to be established and approved the plan of actual financing of the railway infrastructure for the next 5 years. Based on the approved financing plan, the CFR business plan for the next 5 years will then be drawn up, which will also identify the feasible investment plan within the approved financing plan.

The development strategy of the Romanian railway infrastructure is correlated with the General Transport Master Plan of Romania, approved by means of the Government Decision No. 666/2016, as well as with the Management Plan of the company. Moreover, following the approval by the Government, the railway infrastructure development strategy will be integrated in the development strategy of Compania Nationala de Cai Ferate "CFR" SA, the manager of the Romanian railway infrastructure.

Some relevant elements of the railway infrastructure development strategy are summarized in [Annex 24.a](#).

The railway infrastructure development strategy for the period of time 2021-2025 is published at:

<http://www.cfr.ro/index.php/ct-menu-item-3/ct-menu-item-55/strategia-de-dezvoltare-a-infrastructurii-feroviare>.

The status of the investment projects aimed at modernizing the infrastructure related to the European railway corridors and the TEN-T network are summarized in [Annex 24.b](#). These projects are eligible for financing from European grants.

Back to **CONTENTS**

A high-speed train, likely a Shinkansen, is shown in motion on a set of tracks. The train is silver and blue, with a sleek, aerodynamic front. Above the train, a complex network of overhead power lines and support structures is visible against a clear blue sky. The tracks are made of steel rails on a bed of gravel. In the foreground, there are some wooden structures and a small sign with the number '14'.

Ch. 4 INFRASTRUCTURE CAPACITY ALLOCATION

4.1 Introduction

The infrastructure capacity allocation is regulated in Chapter IV, Section 3 of Law No. 202/2016, and by the Regulation on the allocation of railway infrastructure capacity (GD No. 1696/2006 – under updating).

In accordance with these, the Romanian infrastructure capacity allocation body is CFR, in its capacity as an infrastructure manager independent from the specific activities of a RU.

The available infrastructure capacities are allocated by CFR upon the requests of the RUs as well as of other applicants.

Any transaction between the RUs regarding the allocated infrastructure capacities is forbidden, and triggers the cancellation of the access contract, except in the case of the applicants that are not RUs, in accordance with Law No. 202/2016.

CFR satisfies, as far as possible, all the requests for infrastructure capacity, also depending on the availability of the railway infrastructure. Within the scheduling and coordination procedure, CFR may consider as priorities certain services specified in Articles 47 and 49 of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented.

The right to use the infrastructure capacities established as train paths is granted to the RUs or to other applicants for a maximum period of time corresponding to one working timetable period.

If an applicant intends to request infrastructure capacity for supplying a passenger railway transport service on a route where the right of access to the railway infrastructure is limited, it notifies the infrastructure manager and the National Railway Supervision Council with regard to its intention to supply this new passenger railway transport service at least 18 months before the entry into force of the working timetable to which the capacity request refers, in accordance with the provisions of Article 38(4) the first sentence of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented.

4.2 Process Description

The infrastructure capacity allocation is performed by CFR in its capacity as the allocation body.

The Regulation on the allocation of infrastructure capacity is set out in [Annex 15](#).

CFR supervises the carrying-out of the allocation procedures, and monitors the train path allocation on a fair and non-discriminatory basis, and by complying with the law and the confidentiality.

The requests for infrastructure capacity are submitted in accordance with the law by:

- the RUs which have concluded an infrastructure access contract with CFR, in accordance with the allocation regulation;
- other applicants in accordance with Law No. 202/2016, which have concluded access agreements.

The requests of the foreign RUs, and of the international groups made up of these RUs are accepted in accordance with the law and the international agreements and conventions to which Romania is a party.

The allocated train paths are published in the rail service books.

The rules for path identification and train numbering on the Romanian railway network are established in the *Operational procedure: "Path Identification and Train Numbering on the Romanian Railway Network – Proceduri Operationale*.

The path identification and train numbering system mainly ensures:

- a) the numerical identification of the passenger and freight trains along the entire route;

- b) the information of the passengers;
- c) the supply of information to the railway staff on the characteristics of the trains;
- d) the possibility of electronic data processing, providing a precise criterion for identifying trains in all the areas of the railway activity (traffic management, control-command and signalling, hot axle box, passenger notification systems, electronic ticketing, statistics, etc.).

CFR is also the allocation body for the non-interoperable sections leased to the managers of non-interoperable railway infrastructure (see definition in Article 1.11 of the NS).

CFR consults the interested parties with regard to the draft of the working timetable, and these may submit remarks within a month at least. The interested parties are all the parties that have submitted a request for infrastructure capacity as well as the other parties that wish to formulate comments with regard to the influence that the working timetable might have on their capacity of supplying railway services during the working timetable period.

4.3 Schedule for Train Path Request and Allocation

4.3.1 Deadlines for Timetable Drafting

The deadlines for the drafting of the CFR Timetable (demand, analysis and drafting of the timetable) are included in the schedule for the infrastructure capacity allocation process within the Regulation set out in [Annex 15](#). This is drafted in accordance with the provisions of Annex VII of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, as well as with Chapter III of GD No. 1696/2006.

Within the specific railway bodies, CFR agrees with the IMs from other states the international train paths, before commencing consultation on the new working timetable.

4.3.2 Deadlines for Ad-Hoc Requests for Train Paths

The RUs may submit ad-hoc requests for train paths after the new timetable comes into force.

CFR answers the ad-hoc requests for individual train paths as soon as possible and, in any case, within the next 5 working days.

The information regarding the non-used and available infrastructure capacities is made available to all the applicants that might be interested to use these capacities.

If necessary, CFR may evaluate the necessity to keep available a reserve capacity in the final working timetable, which could enable it to rapidly respond to the foreseeable ad-hoc requests for capacities.

The capacity reserve is established in accordance with the Instructions No. 115 for calculating the capacity of the stations and traffic sections, approved by means of OMT No. 1002 of 27 December 2000, and represents 20% of the section capacity.

4.4 Infrastructure Capacity Allocation Process

The capacity allocation process shall be carried out in accordance with the provisions of Law No. 202/2016, on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, and of GD No. 1696/2006. In special cases, CFR SA may establish special conditions and train paths, may provide assistance (under the conditions specified at Article 4.7) for exceptional transports/dangerous goods, to which, in addition to the above-mentioned provisions, there also apply the provisions set down in the Regulation No. 005 on train traffic and railway vehicle shunting.

4.4.1 Coordination Process

CFR supervises the carrying-out of the allocation procedures, and monitors the train path allocation on a fair and non-discriminatory basis, and in accordance with the law.

If, during the above-mentioned scheduling process, CFR encounters any conflicts, it shall try – by means of a coordination of the requests - to supply the best harmonization of all the requests.

The principles governing the coordination procedure are defined and set out in [Annex 16.a](#).

For this purpose, CFR proposes to the RUs train paths different from those that have been requested. CFR settles the possible train path conflicts upon consultation with the relevant RUs, in accordance with the provisions of Article 46(2) of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented.

CFR shall communicate the settlement modality in writing to the RUs, within 10 working days.

4.4.2 Dispute Resolution Process

In the event of a dispute with regard to the allocation of infrastructure capacity, there is made available a dispute settlement system in order to promptly solve it. The principles regulating the dispute settlement process are defined and specified in [Annex 16.b](#).

The RUs may submit to CFR a contestation regarding the infrastructure capacity allocation. CFR shall communicate the settlement modality in writing to the RUs, within 10 working days.

4.4.3 Congested Infrastructure (Definition, Priority Criteria)

If, after the coordination of the requested train paths and the consultation with the applicants, it is proven that it is impossible to satisfy all the requests for infrastructure capacity, CFR immediately declares the relevant infrastructure section as congested infrastructure section. A similar procedure also applies in case of the infrastructure sections that are foreseen to have, in the near future, insufficient capacity in accordance with Article 47(1) of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented.

The list of the sections declared by CFR as congested infrastructure sections is set out in [Annex 17](#).

The priority criteria for infrastructure capacity allocation are established by means of an OMT, and are set out in [Annex 18](#).

CFR annually analyses the infrastructure capacities before commencing the process for the preparation of the next timetable with a view to establishing the capacity restrictions that prevent the train path requests from being satisfied in a proper way.

Moreover, whenever appropriate (e.g. scheduling of new rehabilitation works), when infrastructure capacities are significantly reduced, CFR carries out capacity analysis and declares, if necessary, the sections with congested infrastructure capacity. If the infrastructure has been declared congested, the infrastructure manager shall perform a capacity analysis in accordance with the provisions of Article 50 of Law No. 202/2016, if a capacity improvement plan has not already been introduced in accordance with the provisions of Article 51 of the same law.

4.4.4 Impact of Framework Agreements

See Article 2.3.1. of the NS.

4.5 Allocation of Capacities for Maintenance, Repairing and Upgrading

Within the allocation programme, CFR shall highlight the Infrastructure Capacities necessary for performing the maintenance works (train paths, blank intervals in the working timetable, etc.) in accordance with the provisions of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, and of the Instruction No. 317 – the Instruction on speed restrictions, line closures and voltage cut-offs, approved by means of OMT No. 417/2004. The list of the sections and stations with capacity restrictions may be found in Annex 26 to the NS.

4.6 Train Path Cancellation or Non-Usage Rules

The cancellation (non-usage) or revocation of the train paths allocated to a RU shall be made in accordance with GD No. 1696/2006 - Regulation on the allocation of railway infrastructure capacity set out in [Annex 15](#).

4.6.1 Suspension of Railway Infrastructure Access

In case of a payment delay beyond the due date of the IAC invoice, CFR may temporarily suspend (in whole or in part) the access to the railway infrastructure for the trains of the RUs that have not complied with the IAC payment deadlines if the payment delay is longer than 3 working days for the RU that has not set up a guarantee or 15 calendar days for the RU that has set up a guarantee, as set out in [Annex 4.a](#). This provision is in line with the provisions of Article 12 of GD No. 581/1998. This measure also includes measures of restricting the access of the RUs' trains to the railway infrastructure.

Specific provisions are included in the standard access contract set out in [Annex 4.a](#) to the NS.

CFR may suspend the railway infrastructure access of the RU's rolling stock if it finds out any technical irregularities that may affect the railway traffic safety, in accordance with [Annex 11](#) to the standard access contract.

4.7 Exceptional Transports or Transports of Dangerous Goods

The RU shall notify CFR about any exceptional transport (in terms of loading gauge, axle load or load per linear meter, special wagons, etc.) or transport of dangerous goods upon requesting the allocation of a train path or, at the latest, upon scheduling the train with such a transport for traffic, so that it may be properly handled.

4.8 Special Measures in Case of Traffic Disturbances

In case of any train traffic disturbances caused by a technical breakdown, a railway accident, unfavourable weather conditions or any other unforeseeable situation, CFR may take all the necessary measures to resume the normal situation. At the same time, it notifies the interested bodies. The notification and investigation of the railway accidents and incidents shall be performed in accordance with the Regulation on accident and incident investigation, and for developing and improving the railway safety, approved by means of GD No. 117/2010.

4.8.1 Principles (Existing Procedures and Contractual Arrangements)

In emergency cases temporarily blocking the infrastructure, the allocated train paths may be cancelled without prior notice, for the period of time necessary for resuming the traffic. CFR may require the RU to make available the means which it considers adequate for resuming the normal situation as soon as possible, in accordance with the conditions set out in the access contract, and in the regulations in force.

In such cases, CFR establishes together with the RUs involved the alternative traffic routes, whereas the IAC is levied for the direct initial route.

4.8.2 Operational Rules

The provisions of Regulation No. 005/2005 on train traffic and railway vehicle shunting, and of the Signalling Regulation No. 004/2006 (see Article 2.4 of the NS) apply for resuming the train traffic affected by the disturbances of the working timetable.

4.8.3 Foreseen (Planned) Issues

In case of any train traffic disturbances caused by some foreseen or planned issues (such as line closing), the RUs shall be notified in due time, in accordance with the provisions set down at Article 9 of the standard railway infrastructure access contract, and in Law No. 202/2016, Annex VII, and are offered alternative routes.

4.8.4 Unforeseen Issues

In case of any train traffic disturbances caused by some unforeseen issues (such as accidental line closing), the provisions of the instructions in force apply for resuming the traffic.

4.9 Allocation of Capacities for Service Facilities

If there are at the same time several requests for access to service facilities and/or to the services supplied within the facilities operated by CFR SA, they are satisfied, if possible at that moment, in the station. The requests submitted by the railway undertakings for access to services and supplying them within the service facilities are answered within a reasonable deadline, but not later than 30 days from the submission date of the request, in accordance with Article 13(4) of Law no. 2020/2016.

Back to **CONTENTS**

Ch. 5 SUPPLIED SERVICES



5.1 Services Supplied by CFR and the Operators of Services Facilities

a) Services supplied by CFR

The groups of services supplied by CFR to the RUs are those specified in Annex II to Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented:

- the minimum access package;
- the access, including the track access, to service facilities, if they exist, and the supply of services within these facilities;
- the additional services;
- the ancillary services.

These services are set out in detail below in this chapter.

b) The data and services supplied by other operators of service facilities are set out in [Annex 9.a](#) and [Annex 8.b](#) (Railway Infrastructure Managers). Any additional data is available by accessing the link at the web pages.

5.2 Minimum Access Package

The minimum access package includes the services supplied by CFR in order to allow at least the transit of a train on the network, without shunting or (re)fuelling services.

CFR supplies to any applicant/RU, on a non-discriminatory basis, according to the availability of the railway infrastructure, the minimum access package including:

a) The processing of the requests for railway infrastructure capacity;

It means the activity of analysing the applicants' requests for capacity for the traffic of the trains between two stations of the railway network, in principle during the validity period of a timetable, depending on the capacity and characteristics of the requested route. This includes the determination of the travelling times, the preparation and assembly of the train paths for designing the working timetable of the trains as well as the train path allocation. This also includes the preparation of additional train paths and the scheduling of the freight trains. For the specially ordered trains and for those with occasional traffic, this service is separately charged.

b) The right to use the infrastructure capacity allocated;

It means the right to use the infrastructure capacity allocated, in accordance with the provisions of Annex II Item 1(b) of Law No. 202/2016.

c) The use of the railway infrastructure, including of the switches and junctions;

It means the actual use of the railway infrastructure by the RU's trains in accordance with the allocated train paths and/or the timetable.

d) The train traffic coordination including the signalling, regulation, dispatching as well as the communication and supply of information on train traffic;

It means the activity of conducting the railway traffic at the level of the regional organizational structures, and at the level of the railway stations through the signalling and safety installations as well as the supply of information on train traffic.

e) The use of the traction current supply equipment, if available (without the supply of electric power)

It means to make available to the RUs' electric traction railway vehicles the elements of the traction current supply system of the contact wire necessary for its distribution, where they exist (electrified lines).

- f) Any other necessary information for introducing or operating the services for which infrastructure capacities have been granted.

It means to make available to the RUs the data regarding the scheduling of the trains and the infrastructure condition. This is mainly performed with the help of the IT systems which enable the RUs to schedule and locate their own trains.

For the supply of the services related to the minimum access package, CFR levies from the RUs the Infrastructure Access Charge (IAC) set out in Chapter 6.

CFR grants track access to the service facilities as defined above, depending on the availability of the railway infrastructure.

The modality of charging these services is set out in Chapter 6.

5.3 Access, Including Track Access to Service Facilities, if They Exist, and Supply of Services within these Facilities

It means the services supplied by CFR for the track access to the following service facilities and to the services supplied within these facilities (where they exist and can be supplied):

- for the freight traffic:
 - a) freight terminals;
 - b) marshalling yards and train formation facilities, including shunting facilities;
 - c) storage sidings;
 - d) maintenance facilities;
 - e) other technical facilities, including cleaning and washing facilities;
 - f) maritime and inland port facilities related to railway activities;
 - g) relief facilities;
 - h) refuelling facilities.
- for the passenger traffic:
 - a) passenger railway stations, their buildings and other installations, including the display of the travelling information and the appropriate location for ticketing services;
 - b) train formation stations and facilities, including shunting facilities;
 - c) storage sidings;
 - d) maintenance facilities;
 - e) other technical facilities, including cleaning and washing facilities;
 - f) relief facilities;
 - g) refuelling facilities.

The modality of charging these services is set out in Chapter 6.

5.3.1 Access to Service Facilities

The RUs may exercise their right to receive, on a non-discriminatory basis, access, including CFR track access, to the service facilities held by CFR.

This refers to the services supplied by CFR for granting track access in the service facilities managed by CFR.

These services are supplied on a non-discriminatory basis, and the RUs' requests can only be rejected if there are viable alternatives under the market conditions. The charges for these services are included in the charges shown in Chapter 6.

5.3.1.1 Passengers Stations

The supply of the service for the access of the passengers to the passenger stations involves the access to the station precincts, the platforms and the spaces in the stations meant for them, the waiting rooms, the access ways from the platform to the road and vice-versa, the ticketing offices, and, where it is the case, to facilities such as: ramps, elevators, access tunnels, stairs, lighting systems, specific signalling devices, systems for passenger notification and information, for getting on board/off board, and/or for waiting for the trains.

Some of the services supplied by CFR with regard to the use of these terminals as well as of the related facilities are subject to the specific charges which are set out in Chapter 6.

CFR ensures, to the extent possible, the appropriate location, access and use for ticketing services, on an equal, transparent and non-discriminatory basis for all the RUs.

The charges for the services of leasing the spaces for ticketing/information office/automated ticketing are listed in [Annex 21](#). The leasing is based on a contract that is published in [Annex 28.a](#). The procedures regulating the leasing the real estate belonging to the public railway infrastructure, as well as the regulation on charges for leasing it are set out in [Proceduri Operationale](#) and [Proceduri Operationale](#)

5.3.1.2 Freight Terminals

CFR does not hold freight terminals defined under Implementing Regulation (EU) 2015/1100 as places for handling intermodal traffic units (ITUs).

There exist private industrial lines or freight terminals that belong to different economic operators or RUs, and that are connected to the CFR infrastructure, as set out in [Annex 9.a](#).

[Annex 9.a](#) contains the list of the stations and the related service facilities, the name and contact data provided by the service owners and providers.

CFR shall grant the right of access to all these facilities in accordance with the law in force.

Thus, CFR supplies services for the access of the shunting convoys to/from the CFR railway infrastructure in order to move the shunting convoys from the CFR stations to the freight terminals or other service facilities owned by economic operators. These services for the use of the access infrastructure to the freight terminals are subject to specific charges which are set out in Chapter 6.

5.3.1.3 Facilities in Marshalling and Train Formation Yards, Including Shunting Facilities

CFR supplies the necessary services for the track access to its service facilities for using the related logistics in the marshalling yards, and the train formation as well as shunting facilities.

The access to the marshalling yards, and to the yards with shunting groups is granted to the RUs which have concluded an access contract with CFR. The relevant stations shall be situated on the route of the traffic sections indicated in the safety certificate.

The services related to the access to these facilities are supplied by CFR, and the actual shunting operations are performed by the RUs or by the economic operators holding industrial railway lines or by other operators.

The supply of services by CFR with regard to the use of its access infrastructure to these terminals are subject to the specific charges which are set out in Chapter 6.

CFR does not hold specific rolling stock, and does not perform shunting operations.

5.3.1.4 Storage (Stabling) Sidings

CFR supplies the necessary track access services for ensuring the use of the storage sidings, the sidings intended for the temporary stabling of the railway vehicles between two orders. The types of activity on these sidings may be found in [Annex 9.a](#). CFR may allow the access and stabling of the rolling stock to/on other sidings in the stations within the limits of the capacity for long-term stabling, and for stabling for loading/unloading without affecting the availability of the traffic or shunting lines.

CFR ensures the access and use of these services facilities in accordance with the principles of equality, transparency and non-discrimination.

The supply of services by CFR with regard to the use of the access infrastructure to these sidings is subject to the specific charges which are set out in Chapter 6.

5.3.1.5 Maintenance Facilities

CFR does not hold maintenance centres. These belong to some RUs or to other specialized economic operators set out in [Annex 9.a](#). CFR grants track access to these centres or facilities for the RUs or operators that have been granted this right by the holder of the centres, and in accordance with the law in force.

The supply of services by CFR with regard to the use of its access infrastructure to these terminals is subject to the specific charges which are set out in Chapter 6.

5.3.1.6 Other Technical Facilities, including Cleaning and Washing Facilities

CFR does not hold technical facilities. These belong to some RUs or other specialized economic operators set out in [Annex 9.a](#). CFR grants track access to these centres or facilities for the RUs or operators that have been granted this right by the holder of the centres, and in accordance with the law in force.

The supply of services by CFR with regard to the use of its access infrastructure to these terminals is subject to the specific charges which are set out in Chapter 6.

5.3.1.7 Maritime and Inland Port Facilities

CFR grants access to the maritime and inland port service facilities held by CFR or by other economic operators. If these belong to other specialized economic operators, CFR grants track access to these facilities for the RUs or operators that have been granted this right by the holders of the facilities or by the service operator ([Annex 9.d](#)), and in accordance with the law in force. The supply of services by CFR with regard to the use of its access infrastructure to these terminals (traffic, shunting, access of the shunting convoys to the loading/unloading lines, stabling of the rolling stock, etc.) are subject to the specific charges which are set out in Chapter 6.

5.3.1.8 Relief Facilities

The CFR ensures the relief for restoring the continuity of the railway traffic in case of railway accidents/incidents, with the help of specific relief means (emergency wagon, relief train, railway crane, etc.). The supply of these services is included in the charges set out in Chapter 6.

5.3.1.9 Refuelling Facilities

CFR does not supply fuel, and does not hold such facilities. CFR grants track access to these facilities for the RUs or operators that have been granted this right by the holders of the facilities or by the service operator, and in accordance with the law in force.

The supply of services by CFR with regard to the use of its access infrastructure to these terminals is subject to the specific charges which are set out in Chapter 6 of the NS.

5.3.2 Services Supplied within Service Facilities

5.3.2.1 Shunting and Stabling of the Rolling stock

The provision of these services by CFR represents:

- Shunting of the rolling stock.

Shunting operation means the set of shunting actions performed by a RU for a specific purpose (for example: the shunting operation for introducing/removing the locomotive in/from the train, maneuver to remove a defective wagon from the train composition.

the shunting operation for attaching a group of wagons, etc.), regardless of the number of vehicles in the shunting convoys within the shunting operation.

Vehicles mean wagons and/or hauling rolling stock.

- Stabling of the rolling stock not belonging to CFR may be:
 - Operational stabling means the service supplied by CFR for stabling the rolling stock on the station lines after the expiry of a free 6-hour stabling period from the arrival of the rolling stock on the station lines within the limits of the existing capacities.
 - Long-term stabling means the service supplied by CFR for stabling the rolling stock on the station lines for periods of at least 30 days, in stations with sufficient available capacity. This service is supplied at the request of the RU and upon the approval of CFR, based on the conclusion of a specific agreement with the regional railway branch.
 - Stabling for loading/unloading or on public lines means the service supplied by CFR for stabling wagons for specific operations after the expiry of a free 24-hour stabling period.

CFR ensures, on a transparent and non-discriminatory basis, the supply of services within these facilities, including the necessary logistic support (infrastructure, signalling systems, route performance, etc.).

5.4 Additional Services

Additional services mean the services supplied to the RUs by CFR upon request. These services are set out in Annex 5 to the access contract.

In accordance with Annex II to Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, the additional services may comprise:

- a) traction current ([Annex 23.f](#));
- b) assistance for exceptional transports and dangerous good ([Annex 21](#));

If CFR supplies one of the presented additional services at the request of a RU, then it supplies it to any RU that requests it.

The additional services are specified in the access contract.

The charging method of these services is set out in Chapter 6 of the NS.

5.4.1 Traction Current

Traction current actually means the supply of traction current (TC) through the TC supply (distribution) system set out in Article 5.2(e), on the electrified railway lines, for the RUs using rolling stock (self-propelled

units) with electric traction, and is an additional service in accordance with item 3 of Annex II to Law No. 202/2016.

The traction current is supplied by CFR via its specialized subsidiary, SC "Electrificare CFR" SA, on the basis of a supply contract concluded by it with each RU that has already concluded an access contract with CFR. The TC supply contract is set out in Article 3.3.2.6. The TC supply contract is that set out in Article 3.3.2.6. The framework template of the TC supply contract is set out in [Annex 19](#).

The charges of the TC supply service through the traction current supply system are set out in Chapter 6.

For further details regarding these contracts please contact:

S.C. „Electrificare CFR” S.A.

Address: 38 Dinicu Golescu Blvd., 1 Bucharest

Phone: 021-3192512

Fax: 021-3119838

Web: www.electrificarecfr.ro

E-mail: secretariat@e-cfr.ro

5.4.2 Specific Services for Passenger Trains

CFR does not hold facilities for the coach pre-heating service. In some technical groups of lines situated in some passenger stations, there are electric coach pre-heating systems which are connected to separate meters. The relevant electric current is paid by the RUs using such systems, at a rate established proportionally to the electric current consumed in accordance with Chapter 6.

The services of the water supply for the passenger trains are supplied by the RUs.

5.4.3 Services for Exceptional Transports and Dangerous Goods

CFR ensures the supply the necessary services for exceptional transports or transports of dangerous goods in accordance with the conditions set out in Article 2.5, respectively Article 2.6 of the NS. The charges for these services are specified in Chapter 6.

5.5 Ancillary Services

Ancillary services mean the services optionally supplied to the RUs by CFR or other suppliers upon request, based on the agreement between the contracting parties.

The RUs may additionally require a set of ancillary services from CFR or from other suppliers, such as:

- a) access to the telecommunications network;
- b) supply of additional information;
- c) technical inspection of rolling stock;
- d) ticketing services in passenger stations;
- e) specialized heavy maintenance services;
- f) other services.

These services are specified in the access contract.

The charging method of these services is set out in Chapter 6.

5.5.1 Access to the Telecommunications Network

The RUs have access to the land-based and radio railway telecommunications network which is managed by SC "Telecomunicatii CFR" SA which functions under the authority of the Ministry of Transport.

Within the minimum access package (Article 5.2 of the NS), CFR ensures the ground-locomotive communications in accordance with the law in force. For this purpose, the RU shall maintain the necessary technical means (radio-phone stations) in a proper working condition on the traction means it uses on the CFR railway infrastructure.

For the supply of specific equipment, the RUs may contact SC "Telecomunicatii CFR" SA.

The necessary technical data for using the radio telecommunications network are set out in Article 3.3.3.3.

For the use of the land-based (conventional) and radio telecommunications network managed by SC "Telecomunicatii CFR" SA, the RUs shall conclude specific agreements (contracts) with this company.

The relevant charges are set out in Chapter 6.

Additional information (contact):

SC „Telecomunicatii CFR” SA

Address: 38 Dinicu Golescu Blvd., 1 Bucharest 010873, Romania
Phone: +40 21 314 60 46
Fax: +40 21 314 60 45
Email: office@tccfr.ro, comercial@tccfr.ro
Web: www.telecomunicatii CFR.ro

5.5.2 Supply of Additional Information

Upon the request of the RU, CFR may supply additional information regarding the train scheduling and traffic especially with the help of CFR's IT applications (IRIS – the Integrated Railway Information System) managed by its specialized subsidiary, SC "Informatica Feroviara" SA, within the limits of their availability, on the basis of some specific agreements (contracts) concluded by this subsidiary with the RUs. This information refers only to the trains of the relevant RU, and cannot be accessed by other RUs.

In exceptional cases, CFR supplies additional information through the Traffic Directorate, as specified in the access contracts concluded with the RUs.

The information about the scheduling of the RUs' trains is supplied only with the help of the specific IT applications of CFR (IRIS).

Additional information (contact):

SC „Informatica Feroviara” SA

Address: 1 Gării de Nord Blvd., 1 Bucharest 010855, Romania
Phone: +40 21 311 98 36
Fax: +40 21 223 27 79
E-mail: office@infofer.ro
Tel Mobil: +40 744 337 369
Web: www.infofer.ro

5.5.3 Technical Inspection of the Rolling Stock

CFR's business purpose does not include and CFR does not supply inspection (overhaul) services for the rolling stock and, at present, CFR does not hold hot axle box detectors.

The rolling stock technical inspection services are supplied by the RUs, and are supplied directly by them or with the help of some suppliers approved by ONFR within AFER.

For additional information regarding the approval of these entities:

The Romanian Railway Notified Body – ONFR

Address: 393 Calea Griviței, 1 Bucharest, mail code 010719, ROMANIA
Phone: +40 21 307 79 00
Fax: +40 21 316 42 58
+40-21-316 05 97
E-mail: office.onfr@afcr.ro
web: www.afcr.ro/rom/onfr

5.5.4 Ticketing Service

If possible, CFR may supply ticketing services on the basis of a separate commercial agreement concluded with each applicant RU. The charges for the ticketing service may be found in [Annex 21](#), at the section with the ancillary services supplied by CFR.

5.5.5 Specialized Mechanised Track Maintenance Services

CFR does not supply heavy maintenance services within facilities dedicated to high-speed trains or other types of rolling stock requiring specific facilities.

5.6 Other Services

Except for the services set out in Articles 5.1 to 5.5, related to Annex II to Law No. 202/2016, CFR supplies, as far as possible, other services upon the request of the RUs, as follows:

- Traffic of trains on leased non-interoperable sections;
- Storage on CFR S.A.'s land;
- Reservation of train paths;
- Preparation of train paths for specially ordered trains and for trains with occasional traffic;
- Performing experiments to increase the towed tonnages or to modify the towing modality;
- Interruption of suspension of movement activity.

Back to **CONTENTS**

Ch. 6 INFRASTRUCTURE ACCESS CHARGE



There are two categories of charges:

a) Charges for services supplied by CFR

1. For the services related to the minimum access package, the RUs fulfilling the conditions specified in Article 2.2.2 of the NS pay an Infrastructure Access Charge (IAC) in accordance with the provisions of Law No. 202/2016, GD No. 12/1998 and GD No. 581/1998 and of Regulation (EU) 2015/909.

The IAC calculation methodology is set out in the CFR SA Performance Contract concluded with the MTI, and may be found in [Annex 20.a](#) to the NS.

In order to comply with the provisions of Regulation (EU) 2015/909 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service as well as with other normative acts regarding the costs related to the access to the railway infrastructure, and to establish an optimal method for determining a railway infrastructure charging system recognized by all the parties involved, CFR procured a study on this subject matter which was prepared by an international consultant.

In the study, there was validated the IAC calculation methodology, and there were formulated recommendations on the modality of determining the direct costs.

In the context of EU Regulation 2020/1429 establishing measures for a sustainable rail market in view of the COVID-19 outbreak, CFR has delayed the actions of determining the IAC costs.

and Regulation (EU) 2015/909.

2. The charges for the other services supplied by CFR within the services facilities are called Charges for Additional Services (CAS), and are subject to CFR's regulations, in accordance with GD no. 581/1998 and of the Performance Contract concluded between CFR and the MT in force at this moment, as well as with Law no. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, and with Regulation (EU) 2017/2177 on access to service facilities and rail-related services.

b) Charges for services supplied by other operators of services facilities

The charges for the services supplied by other operators of services facilities are set out in [Annex 8.b](#), and any additional data is available by accessing the link to the web pages.

There are set out below in this chapter only the charges for the services supplied by CFR.

6.1 Charging Principles

a) The principles of the system for charging the railway infrastructure with regard to the access to the railway infrastructure managed by CFR comprise two types of charges:

- the Infrastructure Access Charge (IAC) – calculated and levied for the supply of the minimum access package set down at item 1 in Annex II to Law No. 202/2016;
- the Charges for Additional or Rail-Related Services (CAS) - calculated and levied for the other services set down at items 2, 3 and 4 in Annex II to Law No. 202/2016;

The principles, methodology and level of the charges currently levied by CFR for the supply of the railway infrastructure are set out in the detailed articles below, and in [Annex 20.b](#), [Annex 21](#) and [Annex 23.a](#) to [Annex 23.f](#).

b) **In case of the OSFs**, the charging principles are established and published by them.

c) **Financial guarantees**

In order to guarantee the compliance by the RUs with the financial obligations to CFR, CFR requests that the RUs/applicants should provide a financial guarantee under the conditions set out in Commission

Implementing Regulation (EU) No. 2015/10 of 6 January 2015 on criteria for applicants for rail infrastructure capacity.

CFR requests the financial guarantee if a specialized credit rating agency indicates that the RU might have difficulties in making the payments.

CFR contracted the credit rating service with a specialized risk rating agency that assigns a rating score between 0 (extremely high risk) and 10 (extremely low risk).

The threshold established by CFR for the provision of financial guarantees for the contracts commencing from December 9, 2018, is the credit rating score below 4 (risk above average).

The RUs with a credit rating score assigned by the rating agency below this threshold shall provide a guarantee covering the projected value of the IAC for at least two months of traffic.

The details regarding the guarantee may be found in Chapter 5 of the standard access contract ([Annex 4.a](#) to the NS).

6.1.1 Minimum Access Package

For the supply of the minimum access package set down in Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, and in the access contracts, CFR levy the IAC.

a) Calculation Principles

The IAC is also calculated for each moved train, on the basis of the elements set out in Article 4 of the methodology, by applying the values of the basic charging elements to the calculation formula of the IAC.

On the railway lines equipped with electrification systems, the IAC includes the cost of the electrical equipment only for the trains using traction current. However, it does not include the equivalent value of the traction current (electric power) that is shown in Article. 5.4.1. of the NS.

For the traffic of light locomotives, there will be taken into account the type of traffic that generates the lowest value of the IAC.

For specially ordered trains and for those with occasional traffic, the processing of the requests for train paths is charged separately. The specially ordered trains and those with occasional traffic are the trains for which the RUs submit transport requests after CFR SA has analysed and established/ensured the infrastructure capacities for the routes and the number of the RU's trains, and the completion of the timetable.

There is levied no charge reflecting the lack of capacity during the period of congestion of some sections or the environmental effects. Examples with IAC value series for each line category and different tonnages are given in [Annex 21](#).

b) Discounts

In accordance with Article 33 of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented, CFR SA may introduce, for all the infrastructure users, discount systems for determined traffic flows, granting discounts for a limited period of time in order to encourage the development of new railway transport services or discounts for stimulating the use of some lines which are used far below their capacity.

In accordance with the law and the provisions of the performance contract concluded with the MTI, CFR uses a value of the IAC reduced by 33% for the complete trains in the intermodal traffic, based on the agreements concluded between CFR and the RU that are valid during the duration of the access contract. The standard template of this agreement is set out in Annex 4.e)

The discounts can refer only to the charges levied for a determined infrastructure section.

For similar services, there are used similar discount systems. The discount systems are applied in a non-discriminatory manner to all the RUs. The charge discounts are granted to the RUs that do not hold outstanding debts to CFR longer than 30 days.

The above-mentioned charge discounts are also specified in item 1.3 of [Annex 21](#).

c) Access Suspension

In case of a payment delay beyond the due date of the IAC invoice, CFR may temporarily suspend (in whole or in part) the access to the railway infrastructure for the trains of the RU in delay. This provision is in line with the provisions of Article 12 of GD No. 581/1998. This measure also includes measures of restricting the access of the RUs' trains to the railway infrastructure.

Specific provisions are included in the standard access contract ([Annex 4.a](#)).

CFR may suspend the railway infrastructure access of the RU's rolling stock if it finds out any technical irregularities that may affect the railway traffic safety, in accordance with Annex 11 to the standard access contract set out in [Annex 4.a](#) to the NS.

d) Alternative Routes

On the basis of the provisions of the performance contract in force, in case of the line closures involving traffic disruption or in case of sections with congested capacity, upon the request of the RU, CFR makes available the shortest alternative (diverted) traffic routes possible without levying additional IAC as to the reference route, in accordance with the provisions of the access contract.

For the services supplied by the OSFs, these shall make available specific information in accordance with the provisions of Law No. 202/2016, whereas this information is set out in [Annex 8.b](#).

e) Charge Increases

CFR levies no charge increase in order to fully recover the costs incurred because, on the one hand, there are no market segments other than those for the passenger and freight traffic, and there have been identified no productivity increases achieved by the RU, in accordance with the provisions of Article 32 of Law No. 202/2016.

f) Non-Usage Charges

For the 2022/2023 Timetable, CFR shall levy no charge for not using an allocated and not used train path, in accordance with Law No. 202/2016.

6.1.2 Access to the Facilities Referred to in Article 5.3.1

a) The level of the charges for the access to the infrastructure connecting the services facilities is determined by CFR, at the level of the direct cost generated by the service supply (excluding expenses generated by the management (EGM) and the profit share) in accordance with the provisions of GD No. 581/1998 and of the performance contracts or of their addenda, as well as of Law No. 202/2016.

This principle is applied for determining the charges related to Article 5.3.1., such as, for example, the charge for the access of the shunting convoys to/from the CFR railway infrastructure.

b) The charging modality for the access to service facilities is the supply cost (labour expenses and material expenses) plus the expenses generated by the management (EGM) a 3% profit share in accordance with the provisions of GD No. 581/1998, Law No. 202/2016 and the performance contracts.

This principle is applied for determining of the charges pursuant to Article 5.3.1., such as, for ex., the shunting charge.

The list of the charges that can be levied by CFR is included in the CFR Performance Contract or in its addenda.

For the charges that require a more complex determination of the supplied services, there were approved specific levying procedures. These procedures are set out in [Annex 23.a](#), [Annex 23.b1](#) and [Annex 23.c](#).

For the services supplied by the OSFs and the infrastructure managers, these shall make available specific information in accordance with the provisions of Law No. 202/2016, whereas this information is set out in [Annex 9.a](#) and [Annex 8.b](#).

6.1.3 Services Referred to in Article 5.3.2

The level of the charges is determined by CFR depending to the service supply cost (labour expenses and material expenses) plus the expenses generated by the management (EGM) a 3% profit share in accordance with the provisions of GD No. 581/1998, and of the performance contracts or of their addenda, as well as of Law No. 202/2016.

The list of the charges that can be levied by CFR is included in the CFR Performance Contract in force.

For the services supplied by the OSFs and the infrastructure managers, these shall make available specific information in accordance with the provisions of Law No. 202/2016, whereas this information is set out in [Annex 8.b](#).

6.1.4 Additional Services

In case of the additional services supplied by CFR, the level of the charges is determined by CFR depending on the service supply cost (labour expenses and material expenses) plus the expenses generated by the management (EGM) a 3% profit share in accordance with the provisions of GD No. 581/1998, of Law No. 202/2016 and of the performance contracts.

For the services supplied by the OSFs and the infrastructure managers, these shall make available specific information in accordance with the provisions of Law No. 202/2016, whereas this information is set out in [Annex 8.b](#).

6.1.5 Ancillary Services

In case of the ancillary services supplied by CFR, the level of the charges is determined by CFR depending on the service supply cost (labour expenses and material expenses) plus the expenses generated by the management (EGM) a 3% profit share in accordance with the provisions of GD No. 581/1998, of Law No. 202/2016 and of the performance contracts.

For the services supplied by the OSFs and the infrastructure managers, these shall make available specific information in accordance with the provisions of Law No. 202/2016, whereas this information is set out in [Annex 8.b](#).

6.1.6 Other Services

The charges for the services set out in Article 5.6. are established at the level of the supply cost, in accordance with the provisions of GD No. 581/1998, of Law No. 202/2016 and of the performance contracts. In case of the services that can be supplied only by CFR SA, the profit share amounts at maximum 3%.

6.2 Charging System

As shown in Article 6.1, the railway infrastructure charging system for the access to the railway infrastructure managed by CFR includes the IAC and the CAS.

1) The IAC is levied for the movement of a train on the railway infrastructure managed by CFR between two points (stations) of the network, without shunting or (re)fuelling services. The IAC is levied on a non-discriminatory basis for all the RUs, under similar transport conditions.

The IAC is calculated on the basis of a methodology approved in accordance with the law. The IAC calculation methodology is included in the Performance Contract of Compania Nationala de Cai Ferate "CFR" - S.A., and is described in [Annex 20.a](#).

The IAC calculation methodology is based on the following elements:

- a) distance run by the train;
- b) gross train tonnage;
- c) traffic type: freight or passenger;
- d) traffic route;
- e) category of the traffic section;
- f) endowment with electrification systems for supplying traction current.

The IAC is calculated with the help of the Calipso IT system which receives from the IRIS IT system the reports on the train traffic through the sectioning points. For each moved train, there is issued then a calculation report including the sections on which the train has run, its category and the relevant charge. The list of a RU's trains that were run over a given period of time, and the value of the IAC for these trains is submitted to the RU for analysis and confirmation. After being confirmed, it is submitted for invoicing.

The IAC for the interoperable railway infrastructure and for the non-rented non-interoperable railway infrastructure is calculated and collected by CFR.

The IAC for the leased non-interoperable infrastructure is calculated and collected by the manager of that infrastructure, and the value of the IAC shall not exceed the maximum level for the same category of line from CFR in accordance with [GD No. 643/2011](#).

For the moment, there are levied on the CFR network no additional charges for lack (congestion) of infrastructure capacity or for the environmental effects of the train operation.

Moreover, for the moment, CFR does not consider it necessary to apply any exceptions from the charging principles in the meaning of Law No. 202/2016.

The IAC shall be paid in accordance with the terms and conditions and within the deadlines set out in the access contract (see [Annex 4.a](#)).

In accordance with the provisions of Article 12 of GD No. 581/1998, CFR may temporarily suspend the access to the infrastructure of the RUs that do not comply with the IAC payment deadlines, if the delay exceeds 3 working days. In such cases, upon CFR's notice, AFER may suspend or cancel the RU's licence.

2) The CASs are levied for the other services not subject to the IAC, are set out in Articles 6.3.2., 6.3.3. and 6.3.4. below, and mainly refer to the services included in Articles 5.3, 5.4. and 5.5.

6.3 Charging Information (Values)

This paragraph and the following ones refer only to the charges for the services supplied (ensured) by CFR.

The provision of guarantees to the RU and the modality in which they can be executed by CFR are set out in [Annex 4.a](#), Chapter 5, Articles 29 and 30.

For the services supplied by the OSFs, these shall make available specific information in accordance with the provisions of Law No. 202/2016.

6.3.1 Minimum Access Package Charge

CFR levies the IAC for the minimum access package as defined in Article 5.2 of the NS.

For providing the minimum access package, CFR calculates the value of the IAC for the traffic of a train along a certain route on the basis of the calculation methodology by applying the value of the basic charging elements set out in [Annex 21](#).

For exemplification purposes, there are set out in [Annex 21](#) the unit values of the IAC in LEI/train-km (valid at the publication date of the NS) for passenger and freight trains with different tonnages, according to the line categories from A to D, which were obtained by applying the IAC calculation methodology, and using the basic charging elements specified at the previous paragraph.

6.3.2 Charging of Track Access to Service Facilities and Supply of Services within these Facilities

CFR grants track access to the service facilities (belonging to CFR or the OSFs) as defined in Article 5.3 of the NS according to the available railway infrastructure. Moreover, CFR also grants access within the service facilities held by CFR, and supplies services within these facilities.

For the supply of these services, CFR levies the following charges:

- a) Charge for the track access to service facilities.
The charge for the access of the shunting convoys to the railway infrastructure is set out in [Annex 21](#), and is levied for the access to/from industrial railway lines, depots, repair workshops, inspection lines and other terminals that do not belong to CFR.
- b) The charge for the commercial halts of the passenger trains in the stations and movement halts is set out in [Annex 21](#), and is levied for the supply of the services specific to passenger traffic in the stations and movement halts, for each stop of a passenger train in these stations. This charge includes the costs of: electric power, displaying panels, sound system.
- c) The leasing charges (based on the templates of contract) for leasing the spaces for ticketing services, information services - information offices and automated ticketing services are established by the Order of the Director General of CNCF "CFR" -S.A. No. 281/20.12.2018.
The charges for these services are set out in [Annex 21](#).
The template of the contract for leasing spaces is set out in [Annex 28.a](#).
- d) The charge for stabling the rolling stock not belonging to CFR on the CFR lines is set out in [Annex 21](#), and is levied for stabling the railway vehicles of the RUs or of other operators on the railway infrastructure lines belonging to CFR.
- e) The charge for shunting railway vehicles is set out in [Annex 21](#).
Shunting operation means the set of shunting actions performed by a RU for a specific purpose (for example: the shunting operation for introducing/removing the locomotive in/from the train, the shunting operation for removing a defective wagon from the train, the shunting operation for attaching a group of wagons, etc.), regardless of the number of vehicles in the shunting convoys within the shunting operation.
Vehicles mean wagons and/or hauling rolling stock.
- f) The transport of the CFR cranes and the relief trains for resuming the traffic (relief facilities owned by CFR) is charged on the basis of the specific charges published by CFR in the Official Sheet no. 2/2015, depending on the duration and specificity of the allocated resources, and is set out in [Annex 21](#).
- g) The charge for using the relief trains for resuming the traffic is set out in [Annex 21](#).

6.3.3 Charges for Additional Services

For the additional services specified in Article 5.4, CFR levies the following charges:

- a) The payment of the traction electric power (current) by the RUs (Article 5.4.1 of the NS) is made in accordance with the electric power supply contract concluded between SC "Electrificare CFR" SA and the RUs, and is set out in [Annex 19](#), containing provisions on the consumption forecast and monitoring method, the value of the charge (Annex 5 to the electric power supply contract), and its billing.

The methodology for calculating the charge for "traction current" set down in Annex No. II to Law No. 202/2016 is set out in [Annex 23.f.](#)

S.C. „Electrificare CFR” S.A.

Address: 38 Dinicu Golescu Blvd., 1 Bucharest
Phone: 021-3192512
Fax: 021-3119838
Web: www.electrificarecfr.ro
E-mail: secretariat@e-cfr.ro

- b) The electric power for preheating the coaches (Article 5.4.2 of the NS) is supplied on the basis of a bill of quantities in accordance with the law in force.
- c) The charge for exceptional transports and for verifying the railway vehicles with exceptional transports (Article 5.4.3 of the NS) is set out in [Annex 21.](#)

The templates for preparing the bill of quantities are set out in [Annex 23.d.](#)

6.3.4 Charges for Ancillary Services

The charges for the ancillary services specified at Article 5.5. shall be:

- a) The charges for the telecommunications services (Article 5.5.1 of the NS) and their calculation methodology are determined by SC "Telecomunicatii" SA, and are set out in [Annex 23.e.](#)

For details:

SC „Telecomunicatii CFR” SA

Address: 38 Dinicu Golescu Blvd., 1 Bucharest 010873, Romania
Phone: +40 21 314 60 46
Fax: +40 21 314 60 45
Email: office@tccfr.ro, comercial@tccfr.ro
Web: www.telecomunicatii.cfr.ro

- b) The charge (commission) for the ticketing service (Article 5.5.4. of the NS) is set down in the commercial agreements to be separately concluded with every applicant RU, and is set out in [Annex 21.](#)

In the case of non-payment of the charges for the services not included in the IAC specified at Article 6.3.2. to 6.3.4., CFR SA may request the release of the relevant facility or may suspend the supply of the relevant services.

6.3.5 Charges for Other Services

Other charges according to the services requested by the RUs from Chapter 5.6 are set out in [Annex 21.](#)

If the RU requires other services that may be supplied by CFR, but for which no specific charges are provided or if they are not foreseen, the costs are determined on the basis of a calculation estimate according to the type of service, and the costs for supplying the relevant service. The estimates on the basis of which these services are invoiced to the RU comply with the law, and reflect the actual costs generated by the service supplied. Template examples for preparing the estimates are set out in [Annex 23.d.](#)

6.4 Penalties and Incentives

6.4.1 Non-Usage Charge

At present, CFR levies no reservation charge for the allocated but not used infrastructure capacity.

6.4.2 Cancellation Charge

The provisions of GD No. 1696/2006, Article 22 shall apply.

6.4.3 Discounts for Framework Agreements

CFR does not propose framework agreements, and does not hold such ongoing agreements.

6.4.4 Discounts for ERTMS

At present, CFR does not grant any discounts for ERTMS.

6.5 Performance Scheme

In order to ensure the efficient use of the allocated train paths, and to stimulate the RUs and CFR to comply with the train timetable, RNE (RailNet Europe) prepared, in cooperation with the UIC (the International Union of Railways), a Handbook for the European Performance Regime (EPR).

This is also set down in Article 35 of Law No. 202/2016 on the integration of the Romanian railway system into the single European railway area, as further amended and supplemented.

In fact, the EPR sets out the conditions under which the RUs and the railway infrastructure managers are liable for the delays caused to the trains as well as the modality of registering and mutually sanctioning these delays.

In accordance with the provisions of Commission Regulation (EU) No. 1305/2014, Article 4.2.3.2, the RUs shall send to CFR the list with the rolling stock included in the composition of the freight trains, by using the computer message in the format set out in Regulation No. 1305/2014. The computer message shall be sent by the RU before the departure of the train from the departure station, respectively before the departure of the train from the station where the change in the train composition took place. In the first phase, there shall be sent the computer messages for the international freight trains (which run in the international traffic), and then the computer messages for all the freight trains.

The implementation of a performance regime is also a requirement set out in Law No. 202/2016. The basic principles of the performance regime listed at item 2 in Annex No. VI to Law No. 202/2016 apply to the entire network.

This document shall also include the cases when the already allocated infrastructure capacities are not used or when additional capacities are requested.

A version of the performance regime is included in Annex 16 to the standard access contract concluded between CFR and the RU, which is included in [Annex 4.b](#) to the NS. The performance regime came into force on 1 January 2018.

6.6 Modifications of Charges

a) The Infrastructure Access Charge (IAC) may be modified/updated by CFR depending on the progress of the direct cost of the railway transport service operation, in accordance with the provisions of Law No. 202/2016, and of Regulation (EU) No. 2015/909.

In accordance with the provisions of Law No. 202/2016, for avoiding unwanted disproportionate fluctuations, the IAC may be expressed in averages calculated for a reasonable range of railway transport services and periods. In all cases, the relative size of the infrastructure access charge shall be related to the costs of the different services.

Moreover, the IAC calculation method will be updated by taking into account the possible binding legal provisions to apply after the conclusion of the access contract.

The IAC is valid during the validity period of the access contract. If it is decided to modify the IAC, it shall be notified to the RU at least 6 months before the expiry of the validity period of the access contract. In this case, if the parties agree to extend the validity period of the contract, the levying conditions and the new values of the IAC are to be included in the extension addendum.

The charge modifications will define the setting-up of the charging system, and shall allow the management of CFR, as the railway infrastructure manager, and the management of the RU to have a clear basis for substantiating their operational and financial planning. It will also allow the Ministry of Transport to substantiate on objective principles the level of the subsidy for CFR's activity in accordance with the specific legislative requirements.

Since the modalities for calculating the directly incurred cost as a result of the operation of a railway transport service should be applicable across the Union, these shall be compatible with the existing infrastructure cost accounting systems and the data regarding the costs levied by the infrastructure managers.

b) The charges for additional services (CAS) may be modified/updated by CFR in accordance with the law in force, only in duly justified cases.

There are excluded the charges for the transport of the CFR cranes and the relief trains as well as the charge for the use of relief trains, to be indexed to the inflation index whenever it exceeds 3% as compared to the last indexation.

These charges shall enter into force after the publication in the CFR Network Statement and after the prior notification of the RU at least 60 days before their effective implementation.

6.7 Billing Arrangements

The invoicing modalities, and the payment terms and conditions are set out in Article 5 of the standard access contract which is included in [Annex 4.a](#) to the NS.

In case of a payment delay exceeding the due date set out in the contract, the RUs pay a delay penalty which is also set out in the contract.

Moreover, in case of a payment delay exceeding the due date of the IAC invoice, CFR may suspend the access to the railway infrastructure of the trains of the relevant RU under the contract.

In order to secure the collection of the payments for the supplied services, it may require the setting-up of guarantees by the RUs, and it may execute these guarantees under the conditions set out in Article 6.1.(c) of the NS.

Back to **CONTENTS**