

THE CROATIAN PARLIAMENT

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Pursuant to Article 88 of the Constitution of the Republic of Croatia, I hereby issue the

DECISION

PROMULGATING THE RAILWAY SAFETY ACT

I hereby promulgate the Railway Safety Act passed by the Croatian Parliament at its session on 30 March 2007.

Class: 011-01/07-01/21
Reg. No.: 71-05-03/1-07-2
Zagreb, 5 April 2007

The President of the
Republic of Croatia
Stjepan Mesić, m.p.

RAILWAY SAFETY

ACT

I. GENERAL PROVISIONS

Article 1

- (1) This Act regulates the conditions and the manner for safe, orderly and free performance of railway traffic (hereinafter: safe railway traffic flow) and functioning of the railway system as a whole.
- (2) The provisions of the General Administrative Procedure Act apply to all procedures which are the subject of this Act, unless otherwise provided for therein.
- (3) The provisions of the act regulating physical planning and construction apply to all buildings and parts thereof which are the subject of this Act

Article 2

- (1) This Act refers to the railway traffic for the public transport of persons and objects and to the railway traffic for the transport of persons and objects for own needs on railway lines and industrial and other tracks which are not the public property in common use.
- (2) The safe railway traffic flow referred to in paragraph 1 of this Article on railway lines shall be the responsibility of the infrastructure manager and railway undertaking or a legal person performing transport for own needs, and on industrial and other railway tracks which are not the public property in common use, the owner of industrial railways and the owner or possessor of other tracks.

Article 3

- (1) The railway traffic for public transport, on railway lines, may be performed only by the railway undertaking.
- (2) The transport for own needs and the railway traffic for the purposes of construction, reconstruction and maintenance of railway lines may be performed by the railway undertaking, infrastructure manager and legal person performing transport for own needs.
- (3) The railway traffic on industrial and other lines and tracks which are not the public property in common use may be performed by industrial railways, railway undertaking or legal person performing transport for own needs.

Article 4

The following terms used for the purpose of this Act have the following meanings:

1. “*Railway Line Renovation*” means the execution of work on the existing railway line or track affecting essential requirements for the structure in use, but which does not change the compliance of the structure with the location requirements according to which it was constructed.
2. “*Industrial Railway*” means the railway by means of which the legal person engaged in economic activities performs the transport for own needs on industrial and other tracks which are not the public property in common use, as well as the delivery of railway vehicles from the place of takeover from the railway undertaking to the place of loading or unloading on industrial or other track and vice versa.
3. “*Industrial Track*” means the railway track which is not the public property in common use and which is connected to the railway line, intended for the dispatch of items by means of railway vehicles for the legal person owner or possessor of the said track and on which the industrial railway may also perform the transport for own needs.
4. “*Infrastructural Band*” means the zone of the land below railway lines, the land below other functional parts of the railway infrastructure and the land necessary for technology developments and the development of infrastructural plants, as well as the appertaining air space.
5. “*Interoperability*” means the ability of the international trans-European railway system which enables the safe and uninterrupted traffic flow of trains while achieving the required performance, and which is based on regulations and technical and operating requirements which are to be fulfilled.
6. “*Investigation*” means the procedure carried out with the purpose of establishing the cause of the irregular event and preventing future accidents.
7. “*Investigating Body*” means the independent national body responsible for conducting the irregular event investigation.
8. “*Avoided Accident*” means an irregular event which could have resulted in a serious bodily injury of at least one person, and/or greater damage on railway vehicles, infrastructure or environment.
9. “*Irregular Event*” means an undesired, unintentional or unexpected event in the railway traffic, or a sequence of such events, which had or could have had harmful consequences for the safe flow of traffic. Irregular events are: serious accident, accident, avoided accident and disturbance.
10. “*Contractor*” means the legal person or the natural person executing the work during construction, reconstruction and maintenance of the railway line, the work on the railway band, or the work on installation and maintenance of installations of public interest which are intersected with the railway line or are executed in parallel with it.

11. "*Public Transport*" means the transport of passengers and/or things available to everybody under equal conditions and carried out by the railway undertaking following the concluded transport contract.
12. "*Railway Station*" means the official place for the performance of traffic operations on the railway line with at least one switch from where the traffic of trains is either directly or remote-controlled.
13. "*Conventional Railway Line*" means the railway line which is as part of the conventional railway system constructed or upgraded and provided for the safe, orderly, free and efficient traffic of conventional trains.
14. "*Light Railway*" means the separate railway system intended predominantly for urban and suburban transport with vehicles with the maximum axle load of 130 kN.
15. "*Accident*" means an irregular event in railway traffic with harmful consequences. Accidents are: a crash, derailment, accident on a rail-road level crossing, railway vehicle hitting a person, fire, etc.
16. "*Railway Line Maintenance*" means the execution of work on the existing railway line or track so that its functional condition is maintained at the level stipulated for the safe flow of traffic, whereby its essential structural or technical properties are not changed nor the compliance of the structure with the location requirements according to which it was constructed, and including the supervision, occasional inspections and the control of the railway line working order and other.
17. "*Railway Vehicle Maintenance*" means the execution of work on the existing railway vehicles whose technical operating condition is maintained at the level prescribed for the safe flow of traffic without changing its essential structural, technical or operating properties, and including occasional inspections and the control of the railway line working order and other.
18. "*Railway Vehicle Load per Linear Metre*" means the load of the empty or loaded railway vehicle divided by the length of the railway vehicle expressed in metres and measured from face to face of the non-compressed bumpers or automatic railway vehicle clutches without bumpers.
19. "*Axle Load of the Railway Vehicle*" means the load of the empty or loaded railway vehicle divided by the number of axles on the vehicle.
20. "*Serious Accident*" means an irregular event with the consequential death of at least one person, or serious physical injury of five or more persons, or extensive damage on railway vehicles, infrastructure, or environment; the extensive damage is the damage that can be immediately estimated by the investigating body to at least HRK 5,000,000.00.
21. "*Pedestrian Rail Level Crossing*" means the intersection of the railway line or industrial track with the pedestrian path or traffic area determined for circulation of pedestrians at the same level.
22. "*Incident*" means any event related to the railway transport affecting the flow of traffic, apart from a serious accident and accident.
23. "*Legal Person performing transport for own needs*" means the legal person which, apart from the infrastructure manager and railway undertaking, carries out transport for own needs, meaning railway traffic for the purpose of construction, reconstruction and maintenance and holding the safety certificate issued by a competent body.
24. "*Notified Body*" means an independent national body responsible for the certification of compliance or suitability of the application of the railway system subsystems and their constituent parts with regard to the fulfilling of the interoperability requirements.
25. "*Transport for Own Needs*" means the transport of persons and/or things in railway traffic carried out for the needs of the infrastructure manager, railway undertaking or legal person performing transport for own needs.
26. "*Rolling-stock Gauge*" means the limited space within the railway line or track cross-section, vertical to the longitudinal axis of a track and its plane placed on the top edges of track rails, with the axis running along the middle of the track, which may not be exceeded by any part of the empty or loaded railway vehicle either standing or in motion.

27. “*Railway Band*” means the zone consisting of the land below the railway line or track, between the tracks, at the minimum distance of 8 m, or not less than 6 m if the railway line passes through a settlement, measured from the axis of the end track, as well as the appertaining air space.
28. “*Infrastructure Register*” means the records of technical data and indicators of each of infrastructural subsystems also containing the comparison with functional and technical specifications of respective technical specifications for interoperability.
29. “*Rolling-stock Register*” means the records of the ownership of all the rolling stock including their structural, technical and operating properties, also containing the comparison with functional and technical specifications of respective technical specifications for interoperability and the classification to railway vehicles intended for international traffic and railway vehicles intended for national traffic.
30. “*Railway Line Reconstruction*” means the execution of work on the existing railway line or track by means of which its essential structural or technical properties are changed or the structure brought in compliance with the location requirements according to which it was constructed.
31. “*Railway Vehicle Reconstruction*” means the execution of work on the existing railway vehicle by means of which its essential structural, technical or operating properties are changed.
32. “*Safety Certificate*” means an administrative decision issued by the competent body by means of which the railway undertaking, the legal person performing the transport for own needs and the railway traffic for the purposes of construction, reconstruction and maintenance on railway lines, provide evidence of fulfilling all stipulated requirements for safe transport on a particular line or railway network.
33. “*Railway Infrastructure Management Safety Certificate*” means an administrative decision issued by a competent body by means of which the infrastructure manager provides evidence of fulfilling the requirements for the safe railway traffic control and maintenance of the railway infrastructure, in compliance with the Railway Transport Safety Regulations.
34. “*Branch Standard*” means an internal standard which is prepared and passed at the level of the infrastructure manager, railway undertaking and legal person performing transport for own needs. Branch standard serves the internal purposes when it is necessary to more closely explain the application of the adopted Croatian standards or prepare detailed specifications in line thereto or in the case of a certain field, for which a branch standard is being drafted, there is no adopted Croatian standard.
35. “*Safety Management System*” means the system established by the infrastructure manager or the railway undertaking with the purpose of enabling the safe management of operating processes.
36. “*Technical Specifications for Interoperability*” means the functional and technical specifications which shall be met by the subsystem or a part of the subsystem in order to fulfil the basic requirements and provide for the interoperability of the international trans-European railway system.
37. “*Safety Authority*” means an independent national body responsible for the regulation and control of the railway traffic safety.
38. “*Infrastructure Manager*” means the legal person authorised for the railway infrastructure management and control and maintenance as well as for the organisation and control of railway traffic, holding the licence for railway infrastructure management and the safety certificate for the control of the railway infrastructure issued by a competent body.
39. “*Train*” means a series of railway vehicles with one or more traction vehicles or a traction vehicle only, or a special purpose railway vehicle with own drive fulfilling the prescribed requirements composed and connected in a prescribed way, and marked with prescribed signals.
40. “*Train Timetable*” means a general act of the infrastructure manager defining all the planned routes of trains and railway vehicles on the railway infrastructure lines managed by the infrastructure manager, during the period for which the timetable is valid.

41. “*Traction Vehicle*” means the self-propelled railway vehicle.
42. “*Protective Railway Band*” means the band of the land on both sides of the railway line or tracks, 100 m wide when measured horizontally from the axis of the end track, as well as the appertaining air space.
43. “*Railway Infrastructure*” means a part of the railway system including the zone of infrastructural band and overhead space in the height of 14 meters from the railway infrastructural subsystems (construction, electronic, traffic and management, and signal and safety subsystems, and other functional components and railway infrastructure equipment), and it represents public property in common use which can be used by all interested railway undertakings under the same conditions.
44. “*Railway Line*” means the component part of the railway infrastructure consisting of, technically, the parts of railway infrastructure subsystems necessary for safe, orderly and free performance of railway traffic, as well as of the land below the railway line with railway band and adjoining land intended for the use and function of such parts of infrastructure subsystems with the air zone above the railway line at the height of 12 m or 14 m near the power transmission line exceeding 220 kV, measured from the top edge of the rail.
45. “*High Speed Railway Line*” means the railway line which has been, as part of the high speed railway system constructed or upgraded and provided for the safe, orderly, free and efficient traffic of high speed trains.
46. “*Rail-Road Level Crossing*” means the intersection of the railway line or industrial track with the road at the same level.
47. “*Railway Infrastructural Subsystems*” means the structural or functional component parts of the railway system which belong to the railway infrastructure.
48. “*Railway Undertaking*” means the legal person performing the public transport services in railway traffic holding the licence for public transport services in railway traffic and the safety certificate issued by a competent body.
49. “*Railway Traffic*” means the traffic of trains and railway vehicles carried out on railway lines or industrial and other lines and tracks which are not the public property in common use.
50. “*Railway Vehicle*” means the vehicle with the appertaining and built-in devices and equipment intended for moving along the railway line or track.

II. RAILWAY TRAFFIC AND PUBLIC TRANSPORT

Article 5

The railway traffic shall be performed in the way and under the conditions stipulated by this Act, regulations and general acts passed pursuant to this Act and in compliance with other regulations, and in international railway traffic also in compliance with international treaties incumbent on the Republic of Croatia (hereinafter: international treaties) and international railway regulations incumbent on the infrastructure manager or the railway undertaking (hereinafter: international railway regulations).

Article 6

- (1) The infrastructure manager and the railway undertaking are required to organize and perform permanent control of the safe railway traffic flow in compliance with this Act.
- (2) The organization and the method of the control referred to in paragraph 1 of this Article and the powers of the employees performing the control are regulated by the by-law passed by the infrastructure manager or the railway owner.

Article 7

- (1) At least once a year, the infrastructure manager and the railway undertaking are required to inform the ministry responsible for transport (hereinafter: Ministry) and the safety authority on the conditions and problems regarding safety of the railway traffic.
- (2) A written report on the conditions and safety problems of the railway traffic in the course of the previous year shall be sent by the infrastructure manager and the railway undertaking to the Ministry and to the safety authority not later than 31st May of the current year.

1. Railway Lines

Article 8

- (1) With respect to technology solutions, the railway lines can be:
 - high speed railway lines,
 - conventional railway lines.
- (2) Railway lines referred to in paragraph 1 of this Article shall be classified based on the criteria and standards adopted by the Government of the Republic of Croatia at the proposal of the Ministry.
- (3) According to the purpose, economic importance, their significance in international and inland traffic, method of management of the railway infrastructure and planning of its development, the railway lines can be divided in:
 - the railway lines of significance for international traffic,
 - the railway lines of significance for regional traffic,
 - the railway lines of significance for local traffic.
- (4) The railway lines of significance for international traffic are:
 - main (corridor) railway lines which are in Pan-European corridors and their branches,
 - junction railway lines, which connect the main railway lines within and outside of the railway junctions,
 - connecting railway lines, which connect international sea and river ports and terminals with the main railway lines.
- (5) Railway lines referred to in paragraph 3 of this Article shall be classified based on the Railway Act and based on the criteria and standards adopted by the Government of the Republic of Croatia at the proposal of the Ministry.

Article 9

- (1) The railway line shall be designed, constructed, reconstructed and maintained so as to comply with all the requirements specified for such railway line which provide for the technical and technological integrity, railway traffic safety requirements and other requirements stipulated for the particular railway line.
- (2) In addition to the requests referred to in paragraph 1 of this Article, the railway line significant for international traffic shall also comply with the interoperability requirements as well as technical requirements stipulated by international contracts and international railway regulations.
- (3) In order to comply with the railway traffic safety requirements, the requirements stipulated by this Act, technical requirements for the railway traffic safety to be complied with by the railway lines, technical requirements to be complied with by the railway infrastructure subsystems, technical requirements for the design of railway lines and other stipulated requirements as well as Croatian and branch standards, and for the railway lines of significance for international traffic the railway infrastructural subsystem technical specifications for interoperability, shall be applied during the design, construction, reconstruction and maintenance of the railway line.

(4) Apart from the requirements stipulated in paragraph 3 of this Article, the requirements on technical specifications for the interoperability of the railway infrastructural subsystems shall apply to the railway lines important for international traffic.

(5) Technical requirements for the railway traffic safety to be complied with by the railway lines referred to in paragraph 3 of this Article are stipulated by the regulation passed by the minister responsible for transport (hereinafter: the minister) in agreement with the minister responsible for environmental protection, physical planning and construction.

(6) Technical requirements to be complied with by the railway infrastructural subsystems referred to in paragraph 3 of this Article are stipulated by the regulations passed by the minister in agreement with the minister responsible for environmental protection, physical planning and construction.

(7) Technical and technological conditions for the design of the railway lines referred to in paragraph 3 of this Article shall be prescribed by the minister with the agreement of the minister responsible for environmental protection, physical planning and construction.

Article 10

(1) The provisions of the law regulating construction shall be applied to the construction of new and the reconstruction of the existing railway lines.

(2) The requirements for the reconstruction of the existing railway lines to be carried out within the infrastructural band are stipulated by the regulation passed by the minister with the approval of the minister responsible for environmental protection, physical planning and construction.

(3) The representative of the Ministry, or the person authorised by the minister shall be a member of the commission for the technical inspection of the railway line referred to in paragraph 1 of this Article. The commission for technical inspection shall be appointed by the minister responsible for environmental protection.

Article 11

(1) Special requirements for the construction and reconstruction of the railway line shall be stipulated by the ministry responsible for transport.

Special requirements referred to in paragraph 1 of this Article refer to the requirements to be complied with by the railway line as stipulated by this Act and by the regulations referred to in Article 9 paragraphs 3, 4, 5, 6 and 7, and in Article 10, paragraph 2 of this Act, as well as to the functionality of the railway traffic as a whole.

(2) In the process of obtaining the construction permit or a general permit, the approval of or opinion on the coordination of the concept design for the construction of the new and reconstruction of the existing railway lines pursuant to the special construction requirements referred to in paragraph 1 of this Article shall be passed by the Ministry in the way stipulated by the provisions of the regulations governing physical planning and construction.

Article 12

The crossings of railway lines and the crossings of a railway line with the light railway line or industrial and other track which is not the public property in common use shall not be at the same level.

Article 13

The common bridge for the railway line and the road can be constructed on the same columns or with the common structure, providing that the railway line and the road pavement are completely separated by the safety fence.

Article 14

- (1) The distance between the railway line and the road shall not be less than 8 m measured from the axis of the closest track to the closest point of the top road structure.
- (2) By way of derogation from the provision of the paragraph 1 of this Article, the distance between the railway line and the road without the motorway characteristics can be even less than 8 m, providing that there is no contact between their respective structure gauges and that devices and plants necessary for traffic can be put between them and that the top edge of the closer rail of the railway line is not less than one meter above the top surface of the road pavement.
- (3) If the distance between the railway line and the existing road is less than 8 m, and the top edge of the closer rail of the railway line is not less than one meter above the top surface of the road pavement, the safety fence shall be erected for the road. The safety fence need not be erected if there is a natural or man-made barrier between the railway line and the road which can serve the same purpose.
- (4) The safety fence referred to in paragraph 3 of this Article shall be erected and maintained by the legal person maintaining the road.

Article 15

- (1) Pipelines, electric power lines and other overhead lines, underground cables and other similar installations of common interest may be installed within the infrastructural band, intersect with the railway line or run in parallel to it, providing that their installation and use do not endanger the railway traffic safety or interfere with the running and development of the railway traffic.
- (2) General requirements for the installation of installations referred to in paragraph 1 of this Article shall be stipulated by the regulation passed by the minister responsible for transport.
- (3) The installations referred to in paragraph 1 of this Article can be installed within the infrastructural band only with the preliminary approval and special requirements which shall be, in conformity with the provision referred to in paragraph 2 of this Article, determined for each particular case by the infrastructure manager.

Article 16

- (1) Within the protective railway band only railway structures and installations shall be constructed.
- (2) By way of derogation from paragraph 1 of this Article, the construction of structures and plants for the transport user shall be allowed within the protective railway band providing they are intended for loading and unloading of items in railway transport.
- (3) The structures and plants referred to in paragraph 2 of this Article shall be constructed only with the preliminary approval and requirements determined by the infrastructure manager.

Article 17

- (1) Depending on their type and purpose, the structures and plants may be constructed and trees and vegetation planted within the protective railway band at a certain distance from the railway line according to special requirements providing for the safety of people and traffic.
- (2) General conditions within the meaning of paragraph 1 of this Article referring to the construction within the protective railway band shall be stipulated by the minister in agreement with the minister responsible for environmental protection, physical planning and construction
- (3) Special requirements within the meaning of paragraph 1 of this Article referring to the construction within the protective railway band shall be determined by the infrastructure manager in compliance with the provision referred to in paragraph 2 of this Article.

(4) Special requirements referred to in paragraph 3 of this Article shall be determined for each particular case, depending on whether it is an open railway line, settlement, tunnel, embankment, cutting or similar; and depending on the height of the structure to be constructed, distance from the railway line and intended purpose of the structure, taking into consideration Croatian and branch standards, technical requirements to be complied with by such structures, as well as other measures stipulating the construction of such structures.

Article 18

(1) During the construction work on the railway line, the infrastructure manager is required to provide for the conditions for the safe railway traffic flow at the place where the work is carried out, and the contractor is required to undertake measures for the safety of employees who execute the works in compliance with special safety at work rules.

(2) After the completion of the work referred to in paragraph 1 of this Article, the contractor is required to remove the remaining material, tools and machines and other objects from the railway line, and the infrastructure manager is required to put all the necessary constructions, devices and equipment for the safe railway traffic flow into circulation.

(3) If the traffic is resumed prior to having completed the work in its entirety, the infrastructure manager shall determine the interim conditions for the safe railway traffic flow at particular stages of work depending on the possibility of putting the necessary constructions, devices and equipment into operation, and to notify everyone concerned thereof.

Article 19

(1) The infrastructure manager is required to maintain the infrastructure on the railway lines where the traffic is performed in the condition for the safe railway traffic flow.

(2) The method and conditions of the maintenance of railway infrastructural subsystems on the railway lines for the safe railway traffic flow shall be stipulated by the minister in agreement with the minister responsible for environmental protection, physical planning and construction.

(3) Operating instructions, technical and technological procedures and rules for the maintenance of railway infrastructural subsystems in conformity with the provisions referred to in paragraph 2 of this Article shall be regulated by the by-laws passed by the infrastructure manager.

Article 20

(1) The infrastructure manager shall keep for all the railway lines managed by it the infrastructure register and other records and technical data important for the safety of the railway traffic and for the use and maintenance of infrastructure.

(2) The infrastructure register and other records and technical data referred to in paragraph 1 of this Article shall be kept for each railway infrastructural subsystem and adjusted once a year.

(3) The contents, form of the data and the method of keeping the records and the access to the data shall be defined by the regulation passed by the minister responsible for transport.

(4) The method of keeping the records and other technical data referred to in paragraph 1 of this Article shall be regulated by the by-law passed by the infrastructure manager.

(5) The infrastructure manager is required to put the infrastructure register and other records and technical data referred to in paragraph 1 of this Article at the disposal of the Ministry.

(6) The infrastructure manager is required to immediately notify the Ministry responsible about all the changes important for the railway traffic safety on the infrastructure managed by it.

2. *Railway vehicles*

Article 21

- (1) The railway vehicle shall be designed, manufactured, reconstructed and maintained so as to comply with the requirements stipulated by this Act, technical requirements for the railway traffic safety and other stipulated requirements and Croatian and branch standards.
- (2) In addition to the requirements referred to in paragraph 1 of this Article, the railway vehicle to be used in international traffic shall also comply with the interoperability requirements and technical requirements defined by international treaties.
- (3) Technical requirements for the railway traffic safety to be complied with by the railway vehicles referred to in paragraphs 1 and 2 of this Article shall be stipulated by the minister.

Article 22

- (1) The prototype of the railway vehicle (hereinafter: prototype) shall be used in traffic pursuant to the approval for its use.
- (2) The application to issue the approval for the use of the prototype shall be submitted to the Ministry.
- (3) The operating licence for the prototype shall be issued by the Ministry after the technical inspection of the prototype is completed.
- (4) Technical inspection of the prototype shall be performed by the commission appointed by the minister.

Article 23

- (1) By way of derogation from the provisions of Article 22 of this Act, for purpose of testing the prototype a temporary approval for its use may be issued.
- (2) The application to issue a temporary approval for the use of the prototype shall be submitted to the Ministry.
- (3) The temporary approval for the use of the prototype shall be issued by the Ministry after having completed the technical inspection of the prototype.
- (4) The temporary approval for a use of the prototype shall establish the conditions for traffic use in traffic and the approval validity.
- (5) The temporary approval for the prototype use shall be issued for the maximum period of two years from the day of being issued.
- (6) The prototype, for which the temporary operating approval is issued, shall be used in traffic under the conditions stipulated by the approval and its use shall stop on expiry of the validity of such an approval.

Article 24

- (1) The railway vehicle produced in series or individually, or reconstructed, shall in terms of basic structure, technical and exploitation properties correspond to the approved prototype.
- (2) The provisions of this Act referring to the prototype also refer to the reconstructed railway vehicle.

Article 25

- (1) The railway vehicle produced in a series or individually, or imported, or leased abroad, shall, before being used in traffic, be subjected to technical inspection.
- (2) The application for the operating licence of the vehicle referred to in paragraph 1 of this Article shall be submitted to the Ministry.
- (3) For the railway vehicle referred to in paragraph 1 of this Article, for which it was established during technical inspection to comply with the prescribed requirements, an operating licence

shall be issued. Operating licences are issued by the Ministry after having performed the technical inspection of the prototype.

(4) The technical inspection of the railway vehicle referred to in paragraph 1 of this Article shall be carried out by the commission appointed by the minister.

Article 26

(1) The technical inspection shall establish the following:

- that the railway vehicle complies with the specified requirements,
- whether it is equipped with specified devices and equipment and whether they are in working order,
- whether it is fit for the safe railway traffic,
- whether the vehicle manufactured in a series or individually corresponds to the approved prototype.

(2) The method and procedure of performing the technical inspection of the railway vehicle, the contents of the operating approval, and the procedure for issuing the approval, the prolongation, the cancellation, the annulment, the suspension, and the recognition of the technical approval shall be stipulated by the regulation passed by the minister.

Article 27

(1) The Ministry shall keep the rolling stock register.

(2) The contents, the form of the data, the method of keeping records and access to the data of the rolling stock register shall be stipulated by the regulation passed by the minister.

Article 28

(1) The railway undertaking, the infrastructure manager and the legal person performing transport for own needs and owner, or possessor of a railway vehicle are required to maintain the railway vehicles that are used in traffic in a state fit for the safe railway traffic flow.

(2) The railway vehicle maintenance requirements shall be passed by the minister.

(3) The railway vehicle maintenance work shall be performed only by the legal and natural persons authorised by the minister.

(4) The requirements to be complied with by the legal and natural persons authorized for the railway vehicle maintenance shall be passed by the minister.

(5) The application to issue approval to carry out maintenance on the railway vehicles shall be submitted to the Ministry.

(6) The approval to carry out maintenance on the railway vehicles shall be issued by the Ministry in accordance with the regulation referred to in paragraph 4 of this Article.

(7) The operation instructions, technical and technological procedures and rules for the railway vehicle maintenance in compliance with the regulation referred to in paragraph 2 of this Article, shall be regulated by by-laws passed by the railway undertaking, infrastructure manager and legal person performing transport for own needs.

Article 29

(1) The railway undertaking, infrastructure manager and legal person performing transport for own needs are required to keep records and other technical data about railway vehicles, which are relevant for the traffic safety, use and maintenance of such vehicles.

(2) The method of keeping evidence and technical data referred to in paragraph 1 of this Article shall be regulated by a general act passed by the railway undertaking, infrastructure manager and legal person performing transport for own needs.

(3) The railway undertaking, infrastructure manager and legal person performing transport for own needs shall make the records and technical data referred to in paragraph 1 of this Article available to the Ministry at its request.

(4) The railway undertaking, infrastructure manager and legal person performing transport for own needs shall immediately notify the Ministry about all the changes on railway vehicles used on railway lines relevant for the safety of railway traffic.

3. Train Timetable

Article 30

(1) For the traffic of each train a train timetable shall be determined.

(2) The public traffic train timetable and the period of its application shall be determined by the infrastructure manager.

(3) The train timetable referred to in paragraph 2 of this Article shall be in compliance with the international railway traffic train timetable.

(4) The infrastructure manager is required to provide for the conditions for the traffic of trains according to the adopted train timetable and to undertake measures necessary for its safe, regular and unobstructed implementation.

(5) The railway undertaking is required to act in compliance with the adopted train timetable.

Article 31

(1) The train timetable for regular passenger transport shall be published not later than 15 days before the first day of its application.

(2) The publishing of the train timetable referred to in paragraph 1 of this Article shall be carried out by publishing a consolidated train timetable and displaying the train timetable excerpts.

(3) The preparation of the train timetable, the consolidated train timetable publishing procedure and the display of train timetable excerpts shall be stipulated by the regulation passed by the minister.

Article 32

(1) Train timetable for regular passenger transport shall not be cancelled during the period of its application.

(2) By way of derogation from the provision referred to in paragraph 1 of this Article, the Ministry may approve the cancellation of the train timetable for regular passenger transport during the period of its application if circumstances due to which such train timetable ceases to satisfy the users' needs should occur, or if circumstances due to which trains are not able to traffic during the period longer than 30 days should occur.

(3) Failure of individual trains to traffic during the period not longer than 30 days due to force majeure or extraordinary events, removal of their consequences and due to necessary railroad track maintenance work which directly affect safe traffic, shall not be considered the cancellation of train timetable.

(4) The introduction of bus transport instead of train transport under the same conditions and with the same timetable shall not be considered cancellation of train timetable.

4. Traffic Rules

Article 33

- (1) The railway traffic shall be conducted in accordance with this Act, in the manner and under the conditions which are stipulated for the performance of the safe railway traffic and in compliance with other stipulated conditions.
- (2) The method and conditions for the performance of the safe railway traffic shall be stipulated by the minister.
- (3) The infrastructure manager and the railway undertaking shall elaborate in detail the implementation of regulations referred to in paragraph 2 of this Article by by-laws or instructions.

Article 34

- (1) The interior of passenger wagons shall be illuminated during the night and during the day where the train runs through the tunnel for more than three minutes, and it shall be heated to at least +18 °C if the external temperature is below +12 °C.
- (2) The passenger train shall be marked with the sign indicating the direction of travel.
- (3) In the passenger wagon a seat for disabled persons shall be marked.
- (4) The method and procedure for the implementation of the provisions of paragraphs 1, 2 and 3 of this Article shall be regulated by the general act passed by the railway undertaking.

Article 35

- (1) The transport of passengers and things shall be carried out by the railway vehicle which is by its construction intended for such purpose.
- (2) The transport of hazardous substances shall be carried out in compliance with the regulations on the transport of such substances.

Article 36

- (1) The railway vehicle, with or without cargo, shall, in terms of the rolling stock gauge, axle load, load per linear metre, structural, technical or other properties, comply with the specified requirements for the railway line on which it is transported or used, and with other specified requirements for railway vehicles.
- (2) The railway vehicle which does not comply with the requirements referred to in paragraph 1 of this Article (irregular shipment) shall exceptionally be transported according to special transport requirements for the safe railway traffic.
- (3) The requirements for the transport of railway vehicles referred to in paragraph 2 of this Article shall be stipulated by the minister.
- (4) The infrastructure manager shall approve the transport of irregular shipments in domestic and international railway traffic and determine the conditions under which it shall be performed.

Article 37

- (1) The infrastructure manager and the railway undertaking are required to keep records and other data on train traffic relevant for the safe railway traffic.
- (2) The method of keeping records and other data referred to in paragraph 1 of this Article shall be regulated by the by-law passed by the infrastructure manager and railway undertaking in accordance with the regulation referred to in Article 33, paragraph 2 of this Act.
- (3) The infrastructure manager and the railway undertaking shall make the records and data referred to in paragraph 1 of this Article available to the Ministry at its request.

5. Signalling Rules

Article 38

- (1) The railway signals and signal markings are used in railway traffic by means of which the staff performing the railway traffic may quickly and reliably notify and communicate and by means of which they prohibit, restrict, regulate, warn and inform for the purpose of the safe circulation of traffic.
- (2) The railway signals are used for indicating the prescribed signals.
- (3) The signal markings are used to mark a particularly important point on the railway line.

Article 39

- (1) The signals, signal signs and signal markings shall be in line with the organization and process of the work in railway traffic and they shall comply with the traffic safety requirements.
- (2) The meaning of signal signs and signal markings shall be uniform in the entire territory of the Republic of Croatia.
- (3) The signals, signal signs and signal markings, their appearance, meaning and utilization shall be stipulated by the minister.

Article 40

- (1) The railway line shall be equipped with the prescribed signals and signal markings.
- (2) Temporary prohibitions, restrictions and other dangers in traffic shall also be marked with the prescribed signals and signal markings and such signals and signal markings shall be removed as soon as the reasons for which they were placed cease to exist.
- (3) The signals and signal markings referred to in paragraph 1 and 2 of this Article shall be erected on and removed from the railway line by the infrastructure manager.

Article 41

The train in traffic shall always be marked with prescribed signals.

Article 42

The railway traffic shall be carried out according to the prescribed signal signs and signal markings in compliance with traffic and signal rules.

6. *Requirements to be Fulfilled by Executive Staff*

Article 43

- (1) The staff member performing tasks through which he directly participates in the railway traffic (hereinafter: "executive staff member") shall fulfil the prescribed professional and health competences and other prescribed requirements.
- (2) The tasks performed by the executive staff members in railway traffic shall be stipulated by the minister.

6.1. Professional Competence

Article 44

- (1) The executive staff member shall have appropriate education, complete the program of professional education and pass the licensing examination.

(2) The executive staff member shall be required to take part in vocational training and his knowledge, to the extent relevant for the safety of traffic, shall be periodically, and on prescribed occasions additionally as well, examined.

(3) The vocational education, vocational training or professional development may be provided by the infrastructure manager, railway undertaking and other legal and natural persons, when they fulfil prescribed requirements.

(4) The licensing examination and the examination of knowledge shall be conducted by the Commission appointed by the minister. A certificate shall be issued on the passed licensing examination, and a register of the issued certificates shall be kept.

(5) The program and implementation of the licensing examination and vocational education, the method for vocational training and the knowledge examination of the executive staff member, the issuing of licensing examination certificate and the requirements to be fulfilled by legal and natural persons referred to in paragraph 3 of this Article, shall be stipulated by the minister with the approval of the minister responsible for education.

6.2. Health Competence

Article 45

(1) The executive staff member and the person undergoing vocational education for the executive staff member, depending on tasks he is performing, shall satisfy the health requirements and shall be mentally and physically competent to perform such tasks (hereinafter: health competence).

(2) Health competence of the executive staff member shall be periodically, and on prescribed occasions additionally examined.

(3) The establishing and examination of health competence shall be carried out in a medical check-up. A health certificate shall be issued after establishing the health competence of an executive staff member.

(4) The medical check-up referred to in paragraph 3 of this Article shall be performed by the health institution which satisfies prescribed requirements and which is accredited by the ministry responsible for health care.

(5) The requirements for health competence of executive staff members, the methods for establishing and examination thereof, the time for periodical and occasions for additional examination of such competence and the requirements to be satisfied by health institutions performing such medical examinations, shall be determined by the regulation passed by the minister responsible for health with the agreement of the minister.

Article 46

(1) Executive staff members shall not start performing their tasks if they estimate to be tired or sick, or if in a such mental state, or under the influence of drugs or psychoactive substances, to the extent that they are incapable of performing the tasks safely, or they shall cease performing the tasks if such circumstance arise during work.

(2) The executive staff member shall without delay notify of the circumstances referred to in paragraph 1 of this Article the immediate superior during the work process.

Article 47

(1) The executive staff member shall not take alcoholic drinks, narcotics or psychotropic substances or to start performing his tasks when there is alcohol, narcotics or psychotropic substances in his body.

- (2) The executive staff member shall, at the request of the authorized employee of the infrastructure manager, railway undertaking or legal person performing transport for own needs, take a test to establish whether there is alcohol, narcotics or psychotropic substances in his body.
- (3) It shall be deemed that the executive staff member has alcohol, narcotics or psychotropic substances in his body if their presence is determined by the prescribed method of testing with applicable means or devices.
- (4) In case the executive staff member refuses or does not undergo testing, or if in the process of testing it is determined that he is intoxicated by alcohol, narcotics or psychotropic substances, the person conducting the testing shall prohibit him from further work.
- (5) The method and the procedure for establishing the presence of alcohol, narcotics or psychoactive substances in the body shall be determined by the regulation passed by the minister responsible for health care.

6.3. Acquisition of the Right to Control Traffic and the Right to Drive Traction Vehicle

Article 48

- (1) Only the person who has acquired the right to control train traffic and the right to drive traction vehicle are allowed to perform such tasks.
- (2) The person satisfying the following requirements may acquire the right to control train traffic and the right to drive traction vehicle:
1. prescribed health competence,
 2. above 18 years of age,
 3. completed practical education for traffic control tasks, or traction vehicle driving tasks,
 4. completed prescribed licensing examination,
 5. that there is no decision of the competent body prohibiting traffic control, or traction vehicle driving.
- (3) By way of derogation referred to in paragraph 2, item (2) of this Article, the right to drive the traction vehicle of the passenger train and train for hazardous substances may be acquired only by the person who is above 21 years of age.

6.4. Working Hours, Duration of Shifts and Rest Periods between Two Consecutive Shifts

Article 49

- (1) Within the meaning of this Act, working hours shall mean the time spent by the executive staff member while performing its tasks during one shift.
- (2) The executive staff members' working hours in one shift may not exceed 12 hours.
- (3) By way of derogation referred to in paragraph 2 of this Article, working hours of the executive staff member controlling the traction vehicle of the express, business or fast train for the transport of passengers may not exceed 10 hours, while the working hours of an executive staff member who drives a traction vehicle in international transboundary traffic may not exceed 9 hours, in accordance with the international agreement. Driving hours of an executive staff member who drives a traction vehicle in the international transboundary traffic may not exceed 9 hours during the day shift or 8 hours during the night shift, in accordance with the international treaty.
- (4) Uninterrupted driving hours of the executive staff member driving a traction vehicle may not exceed 6 hours.
- (5) The executive staff member shall have an interrupted rest period of not less than 12 hours between two consecutive shifts.
- (6) By way of derogation from the provisions of paragraph 4 of this Article, when the executive staff member who performs its tasks on a train (staff on the train) spends his rest period outside

the seat of his organizational unit, such rest period may be shorter than 12 hours but not shorter than 8 hours.

(7) Working hours, duration of the shift and the rest period between two consecutive shifts, subject to the organization and volume of traffic, type of tasks, working conditions and other conditions affecting mental and physical capability of executive staff members shall be determined by minister in agreement with the minister responsible for labour.

(8) The infrastructure manager, railway undertaking or legal person performing transport for own needs is not allowed to assign, or allow the executive staff member to work contrary to the provisions of this Article.

7. Railway Line and Road Crossing

Article 50

(1) The crossing of the railway line and the motorway may not be at the same level in following cases:

- crossing of the railway line and the motorway,
- crossing of the railway line of significance for international traffic and the state road,
- crossing of the railway line and the road on the railway station premises between the entrance turnouts where the station tracks begin.

(2) The crossing of the railway line and the road may not be at the same level even if the requirements referring to the following are fulfilled:

- high frequency of the railway and road traffic,
- specific local circumstances,
- other reasons affecting traffic safety.

(3) The criteria for establishing of the crossing of the railway line and the road referred to in paragraph 2 of this Article shall be defined by the minister in agreement with the minister responsible for environmental protection, physical planning and construction.

Article 51

(1) The crossing of vehicles and other participants in road traffic over the railway line at level is allowed at rail-road level crossings only and the crossing of pedestrians over the railway line at the same level is allowed at the pedestrian rail level crossings.

(2) The train or the railway vehicle has at the rail-road level crossing or pedestrian rail level crossing the right of way with regard to the road vehicle or other participants in road traffic.

Article 52

(1) The safety of traffic at the rail-road and pedestrian rail level crossing is ensured by the installation of a device or prescribed visibility from the road or pedestrian way to the railway line.

(2) The installation for the protection of the rail-road level crossing is the installation for the closing of the rail-road level crossing (with barriers or semi-barriers) and/or device emitting the signals announcing the approaching of the train or railway vehicle.

(3) The device for the protection of the pedestrian rail level crossing is the device emitting signals announcing the approaching of the train or railway vehicle.

(4) The devices referred to in paragraphs 2 and 3 of this Article shall comply with special technical requirements and with the act regulating the safety of traffic on roads.

(5) Technical requirements which installations referred to in paragraphs 2 and 3 of this Article shall comply with shall be stipulated by the regulation passed by the minister responsible for transport.

- (6) The devices for the protection of the rail-road and pedestrian rail level crossing at the railway line shall be installed and maintained by the infrastructure manager.
- (7) The owner or possessor of the land adjacent to the railway line or the legal person maintaining the road in the area where the sight distance for the rail-road level crossing or pedestrian rail level crossing is required shall be required to provide for the prescribed sight distance from the road or pedestrian way to the railway line.

Article 53

- (1) Pedestrian railings shall be erected at the pedestrian rail level crossing over the railway line.
- (2) The pedestrian railings shall comply with the prescribed requirements.
- (3) The pedestrian railings shall be erected and maintained by the infrastructure manager.

Article 54

- (1) The rail-road or pedestrian rail level crossing shall be considered a constituent part of the railway line in the width of three metres, measured horizontally from the centre of the end track.
- (2) The maintenance of the pavement or pedestrian way in the area of the rail-road and pedestrian crossing referred to in paragraph 1 of this Article on railway lines shall be performed by the infrastructure manager.

Article 55

- (1) At the railway line in front of the rail-road or pedestrian rail level crossing, where the safety of traffic is provided by the prescribed visibility of the railway line, the prescribed signal marking for notification of executive staff members operating the railway vehicles that such crossing is approaching and that prescribed signalling of the railway vehicle is obligatory, shall be erected.
- (2) The signal marking referred to in paragraph 1 of this Article shall be coated with a reflective coating.
- (3) The erection and maintenance of prescribed signal markings referred to in paragraph 1 of this Article shall be performed by the infrastructure manager.

Article 56

- (1) The crossing of the railway line with roads at the same level where there are more such crossings, should be reduced to the necessary number by directing two or more roads to the joint crossing point.
- (2) The requirements for reducing and establishing of the joint crossing point and the method of crossing of the railway line and the road referred to in paragraph 1 of this Article shall be stipulated by the minister in agreement with the minister responsible for environmental protection, physical planning and construction.

Article 57

- (1) Traffic safety at the rail-road and pedestrian rail level crossing shall be provided for in the prescribed way within the meaning of this Act, and where appropriate other prescribed measures shall be taken.
- (2) The way of securing a rail-road crossing shall be adjusted to the changes due to reconstruction or reclassification of the road or the railway line.
- (3) The rail-road and pedestrian rail level crossing shall be maintained in the state fit for the safe railway traffic by the infrastructure manager.

(4) The method for the provision of the safety of traffic at the rail-road and pedestrian rail level crossings referred to in paragraphs 1 and 2 of this Article, the requirements which pedestrian railings should comply with, the prescribed visibility from the road or pedestrian rail level crossing of the railway line and other measures to be taken for the safe circulation of traffic, depending on the importance and type of the railway line and road, volume of traffic, driving speed and other requirements relevant for the safety of traffic shall be stipulated by the minister responsible in agreement with the minister responsible for environmental protection, physical planning and construction.

Article 58

- (1) On the road crossing the electrified railway line, protective barriers limiting the passage of road vehicle whose height with the loaded cargo exceeds the highest permitted height shall be erected on both sides of the rail-road crossing at the prescribed distance therefrom. Railway line at the prescribed distance therefrom.
- (2) The protective barrier referred to in paragraph 1 of this Article shall be erected at the distance not less than 8 m from the nearest track measured from the road centre line and at the height of than 4,5 m above the road pavement.
- (3) The protective barrier referred to in paragraph 1 of this Article shall be erected and maintained by the infrastructure manager.

Article 59

The crossing over the rail-road level crossing of vehicles which are driving with the permit for irregular shipment (if such vehicle with or without load exceeds the maximum allowed weight, maximum allowed axial load or maximum allowed dimensions) is allowed only with the approval and under the requirements determined by the infrastructure manager.

8. Irregular Event Procedure and Investigating Body

Article 60

- (1) The executive staff member, who happens to be at or comes across the site of irregular event where there are injured or dead persons, shall take part in the rescuing mission.
- (2) The executive staff member shall immediately notify the infrastructure manager about the irregular event referred to in paragraph 1 of this Article.
- (3) As soon as becoming aware of the irregular event referred to in paragraph 1 of this Article, the infrastructure manager shall immediately notify the health institution nearest to the site of the event.
- (4) As soon as becoming aware of the irregular event referred to in paragraph 1 of this Article, the infrastructure manager, railway undertaking and legal person performing transport for own needs shall take measures for the rescuing of persons and providing the assistance to the injured and to secure the site of irregular event until the arrival of authorized persons of responsible bodies, depending on the type of irregular event.

Article 61

- (1) Executive staff members working on particular tasks at the official place of work and on the train shall be trained for providing first aid to the injured in irregular events.
- (2) The infrastructure manager or the railway undertaking shall determine the tasks referred to in paragraph 1 of this Article in a general act.

Article 62

- (1) The traction vehicle, passenger train and official place on the railway line shall be equipped with the prescribed first aid kit.
- (2) The infrastructure manager, railway undertaking and legal person performing transport for own needs shall equip the traction vehicle, passenger train and official post on the railway with the required first aid kit.
- (3) The contents, location and utilization of the first aid kit shall be determined by the general act which shall be passed by the infrastructure manager, railway undertaking and legal person performing transport for own needs in agreement with the ministry responsible for health care.

Article 63

If the railway traffic is interrupted due to irregular event, the infrastructure manager or the railway undertaking are required to take measures for re-establishing the traffic as soon as possible.

Article 64

- (1) The infrastructure manager or the railway undertaking shall immediately notify authorised persons of competent authorities about a serious accident.
- (2) The authorized persons of competent authorities conducting the investigation of a serious accident shall carry out the inspection in such a way that railway traffic is not interfered with, or that the interference is as short as possible.

Article 65

- (1) The infrastructure manager, railway undertaking or legal person performing transport for own needs, is required to organize and carry out the investigation of irregular events.
- (2) The investigation of irregular events in which more than one legal person is concerned shall be carried out by the commission consisting of at least one member from each of the entities concerned.
- (3) The classification of irregular events, the authorities and obligations regarding the safety investigation of the irregular event, the authorities of investigators and investigating commission, the method of organization of the investigative commission, the method and procedure for establishing the cause, consequences, circumstances under which they have occurred and responsibilities for the occurrence of irregular events, considerable material damage and considerable interruption of traffic, the method of notification of the health care institution, police and investigating body about irregular events and the method of keeping records and other data on irregular events, shall be stipulated by the e minister.
- (4) The operation instructions, technical and technological procedures and rules of procedure in case of the irregular event and the removal of consequences of irregular events in compliance with the regulation referred to in paragraph 3 of this Article, shall be regulated by by-laws passed by the infrastructure manager, railway undertaking or legal person performing transport for own needs.

Article 66

- (1) The investigation of serious accidents or irregular events which, under particular circumstances could have resulted in a serious accident shall be conducted by an investigating body, in compliance with the regulation referred to in Article 65, paragraph 3 of this Act.

- (2) The investigation of serious accidents with the aim of improving the safety of the railway system shall be carried out independently from the court investigation of the same event and shall not be concerned about establishing individual guilt or responsibility.
- (3) The investigating body is authorized to carry out all activities which it deems necessary to investigate and to establish facts during the investigation, and is particularly entitled to direct access to all information and evidence.
- (4) All natural and legal persons, all state administration bodies and the judiciary, State Attorney's Office and local and regional self-government units shall at the request of the investigating body submit all the information and evidence relevant for the investigation.
- (5) In terms of organisation, legal status and way of passing decisions, the investigating body shall be independent from the infrastructure manager, railway undertaking, legal person performing transport for own needs, notified body and other parties whose interests might be contrary to the tasks the investigating body has been entrusted with. The investigating body must function independently from the body responsible for safety and any other regulatory body.
- (6) The function and tasks of the investigating body shall be carried out by the Ministry.
- (7) An authorised investigator shall have an official identification card proving his official capacity, identity and authorities.
- (8) Duties, authorities and tasks of the investigating body, and form and contents of the identification of an authorised investigator, method and procedure for issuing, returning, revoking and keeping records of identification shall be stipulated by the minister.

9. Safety Authority, Notified body and Safety Management System

Article 67

- (1) The authority responsible for the safety of the railway traffic shall regulate and supervise the safety of the railway traffic in general and establishing of and the method of operation of security management systems of infrastructure managers, railway undertakings and legal persons with safety certificate.
- (2) The authority responsible for safety shall within the scope of its activity perform the tasks of issuing, renewing and cancelling decisions on the safety for the infrastructure manager and railway undertaking. The authority responsible for safety may carry out all inspections and tests required for the fulfilment of its duties and shall have access to all documents and premises, installations and equipment of infrastructure manager, railway undertakings and legal persons with safety certificate.
- (3) In terms of its organisation, legal structure and decision-making process, the authority responsible for safety must be independent from any infrastructure manager, railway undertakings, and legal persons with safety certificate, applicants and procurement bodies.
- (4) The authority responsible for safety shall be established under a special regulation in compliance with the principles stipulated by this Act and the act on the establishment thereof.

Article 68

- (1) The evaluation of the compliance or adequacy for the application of subsystems of the railway system and its constituent parts in respect of fulfilling the interoperability requirements shall be carried out by the railway traffic notified body.
- (2) The duties and tasks of a notified body shall be carried out by the Ministry, and in terms of organisation, legal status and way of decision-making it must be independent from the infrastructure manager, railway undertaking, legal person holder of a safety certificate, applicant and procurement bodies.
- (3) Duties, authorities and tasks of the notified body shall be stipulated by the minister.

Article 69

- (1) The establishment and the manner of operation of the safety management system of the infrastructure manager, railway undertaking or legal person performing transport for own needs and the manner and procedures of reporting on safety shall be stipulated by the minister.
- (2) The organization of the safety management system, directions for operation, technical and technological procedures and rules in compliance with the regulation referred to in paragraph 1 of this Article shall be regulated by by-laws passed by the infrastructure manager, railway undertaking or legal person performing transport for own needs.

10. Internal Rules and Protection of Railway Tracks and Vehicles

Article 70

- (1) The access to and movement of persons and road vehicles within the infrastructural band shall be allowed only in places designated by the infrastructure manager.
- (2) At places designated for access and movement within the infrastructural band and on trains, all persons are required to comply with the internal rules of conduct in the railway traffic.
- (3) The law enforcement officers of the ministry responsible for internal affairs shall, at the request of the staff members of the infrastructure manager, railway undertaking or legal person performing transport for own needs, provide necessary assistance in enforcing the internal rules of conduct in compliance with the applicable regulations.

Article 71

- (1) The infrastructure manager shall be responsible for enforcing the internal rules within the infrastructural band, while the railway undertaking shall be responsible for enforcing the internal rules on trains.
- (2) The staff members authorized for the enforcement of internal rules shall have prescribed identification cards issued by the infrastructure manager or railway undertaking and shall, while enforcing the internal rules, present their identification cards to persons violating those rules.
- (3) The staff members referred to in paragraph 2 of this Article shall have the right to request any person violating the rules to present his/her identification card.
- (4) The internal rules in railway traffic, the manner and authorisations of staff members for their enforcement and the form of identification card shall be stipulated by the minister.
- (5) The staff members authorised for the enforcement of internal rules in compliance with the regulation referred to in paragraph 4 of this Article and respective by-law of the infrastructure manager or railway undertaking, shall file for initiation of minor offence proceedings against the perpetrators violating internal order.

Article 72

- (1) It is prohibited to damage the railway line and rolling stock, to throw or place on the railway line any objects and waste, to throw objects at or from the railway vehicles, to interfere with the work of the staff members of the infrastructure manager, railway undertaking or legal person performing transport for own needs or to endanger or interfere with the railway traffic in any other way.
- (2) Near the railway line, and particularly in the vicinity of the railway signals, it is not allowed to plant high trees or to erect signs, markings, sources of coloured or dazzling light, or any other objects or devices which, by their colour, shape or light, reduce the visibility of the railway signals or which may mislead the executive staff members regarding the meaning of signal signs.
- (3) No work shall be performed on the railway line without prior consent of the infrastructure

manager.

(4) The infrastructure manager is entitled to request from the owner or possessor to immediately remove any trees, vegetation, plants, devices or objects referred to in paragraph 2 of this Article, which reduce the visibility of the railway signals or which may mislead the executive staff members regarding the meaning of signal signs, informing him about the deadline to act as requested. The infrastructure manager shall immediately notify the inspection for the railway traffic safety thereof.

(5) If, under the circumstances referred to in paragraph 4 of this Article, the owner or possessor fails to comply with the request by the infrastructure manager within the stipulated deadline, the infrastructure manager shall take necessary measures the cost of which the owner or possessor shall reimburse to the infrastructure manager.

Article 73

The infrastructure manager shall in due time, independently or in cooperation with another legal person, in the places exposed to landslides, torrents, blizzards and strong winds, where the railway traffic may be obstructed or endangered, take necessary measures for technical and physical protection of the railway line and structures, installations, devices and constructions on the railway line against natural disasters for the purposes of the safe flow of railway traffic.

III. TRANSPORT FOR OWN NEEDS AND INDUSTRIAL LINES

Article 74

(1) Railway transport on railway lines for own needs may be performed by the infrastructure manager, railway undertaking, and a legal person performing transport for own needs with the approval and in compliance with the requirements determined by the infrastructure manager.

(2) The transport for own needs on industrial and other tracks which are not public property in common use shall be performed by the industrial railway, i.e. legal person performing transport for own needs.

Article 75

(1) The industrial and other tracks which are not public property in common use shall be designed, built, constructed and maintained to comply with all the requirements providing for the technical and technological unity, safety requirements for the railway traffic and other requirements stipulated for such tracks.

(2) In order to comply with safety requirements for the railway traffic with respect to design, construction, reconstruction and maintenance of the industrial and other tracks which are not the public property in general use, the requirements stipulated by this Act, Croatian and branch standards, technical requirements for the railway traffic safety and other prescribed conditions shall apply.

(3) Technical requirements for the railway traffic safety to be complied with by industrial and other tracks which are not the public property in common use, as well as the crossings of such tracks with the light railway line, referred to in paragraph 2 of this Article, shall be stipulated by the minister in agreement with the minister responsible for environmental protection, physical planning and construction.

(4) For industrial and other tracks which are not the public property in common use and which are connected to railway lines, the infrastructure manager shall determine the additional requirements for the safe railway traffic flow to be complied with by such tracks depending on the following:

– technical characteristics of the line to which such tracks are connected,

- characteristics of the rolling stock to be delivered or used on such tracks,
- local conditions,
- other conditions affecting the safe railway traffic flow.

Article 76

The owner or possessor of the industrial and other tracks which are not the public property in common use shall:

- maintain the track in the condition fit for safe railway traffic flow,
- provide the track with prescribed signals and signal signs,
- mark temporary prohibitions, restrictions and other dangers on the track with appropriate signals and signal markings and remove signals and signal markings as soon as the reasons for their placement cease to exist,
- erect and maintain the railings on pedestrian rail level crossings as well as devices for secure rail-road level crossing and pedestrian rail level crossing on the track in the condition fit for safe railway traffic flow,
- maintain the pavement or sidewalk on the rail-road level crossing and the pedestrian rail level crossing on the track, as well as the level crossing in general, in the condition fit for safe railway traffic flow,
- maintain the junction of the track with the light railway line in the condition fit for safe railway traffic flow.

Article 77

- (1) The industrial railway vehicle shall comply with the requirements for the safe railway traffic flow and such condition shall be maintained.
- (2) The staff member of the industrial railway shall comply with the prescribed requirements for the professional and health competences and other prescribed requirements for the safe railway traffic flow on industrial and other tracks which are not public property in common use.
- (3) The requirements for the safe railway traffic flow on industrial and other tracks which are not public property in common use to be complied with by the rolling stock and the staff members of the industrial railway, shall be regulated by the general act passed by the industrial railway owner in compliance with this Act.

Article 78

- (1) The industrial railway shall perform the railway traffic on industrial tracks in proper manner and in compliance with the prescribed requirements.
- (2) The manner and the requirements for the performance of the railway traffic on industrial tracks shall be regulated by the general act of the industrial railway in compliance with this Act.

Article 79

The infrastructure manager, railway undertaking and industrial railway shall jointly establish the place, manner and conditions for reciprocal delivery of the rolling stock and other conditions for the safe railway traffic flow on industrial and other tracks which are not public property in common use.

Article 80

- (1) The train traffic shall not be performed on industrial and other tracks which are not public property in common use.

(2) By way of derogation from paragraph 1 of this Article, the Ministry may allow the railway undertaking to carry out the traffic of trains on particular industrial and other tracks which are not the public property in common use, if such tracks comply with the prescribed requirements for the safe railway traffic flow. Where appropriate, the Ministry may stipulate relevant measures for the safe railway traffic flow.

Article 81

(1) The rolling stock or the staff members of the industrial railway shall not take part in the traffic on the railway line.

(2) The rolling stock or staff members shall, when exceptionally participating in the traffic on the railway line, comply with the requirements stipulated by this Act for the rolling stock and executive staff members in public transport.

(3) The rolling stock or the staff members of the industrial railway referred to in paragraph 2 of this Article may participate in the traffic on the railway line only with the approval of and in compliance with the requirements determined by the infrastructure manager.

IV. SPECIAL SAFETY MEASURES

Article 82

(1) The infrastructure manager, railway undertaking or legal person performing transport for own needs shall temporarily prohibit the carrying out of tasks to the executive staff member if:

- if he fails to demonstrate the required knowledge for particular tasks at the knowledge test,
- if he fails to attend the knowledge test to which he was sent,
- if he is, following the evaluation of an accredited health institution, incapable of performing particular tasks, until such incapability exists,
- if he fails to attend the medical examination to which he was sent,
- if he is issued a prohibitory measure of performing certain tasks, until such prohibitory measure is in force.

(2) The manner, implementation procedure and the duration of the temporary prohibition referred to in paragraph 1 of this Article shall be established by the infrastructure manager, railway undertaking or legal person performing transport for own needs by the by-law in compliance with this Act and other regulations governing labour rights.

Article 83

(1) The authorized staff member of the infrastructure manager, railway undertaking or legal person performing transport for own needs shall immediately on the spot temporarily remove the executive staff member from carrying out the following tasks:

1. if he attempts to perform, or if he performs, his tasks although it is obvious that he is so tired or ill, or that he is such mental state, or under the influence of alcohol, drugs or psychotropic substances, not to be fit to safely perform such tasks,
2. if it is established in the prescribed manner that he attempts to perform, or performs, his tasks although there is alcohol, drugs or psychotropic substances in his body,
3. if he refuses to attend alcohol, drug or psychotropic substance test,
4. if he has been performing tasks beyond the allowed working hours of the shift,
5. if there is reasonable doubt that he has by negligence or in any other way caused an irregular event in which at least one person was killed or injured, or in which the considerable damage or considerable interruption of traffic were caused, or the safety of the railway traffic was in any other way endangered.

(2) The manner, procedure and authorities for temporary removal referred to in paragraph 1 of this Article shall be determined by the infrastructure manager, railway undertaking or legal person performing transport for own needs by the by-law in compliance with this Act.

V. INSPECTION AND ADMINISTRATIVE SUPERVISION

Article 84

(1) The inspection supervision over the enforcement of this Act, regulations and general acts passed pursuant to this Act and other regulations referring to the safe flow of the railway traffic shall be performed by the inspection service for the safety of the railway traffic of the Ministry responsible for transport (hereinafter: inspection).

(2) The inspection shall be conducted by authorized state inspection officials (hereinafter: inspectors).

(3) Administrative supervision over the infrastructure manager, railway undertaking, legal person holding safety certificate, industrial railway and other legal and natural persons subject to administrative supervision under this Act, related to the fulfilling of obligations, adopting new and harmonising of the existing regulations with this Act, as well as the implementation of this Act, shall be carried out by the Ministry.

Article 85

(1) For the purpose of conducting the inspection, the inspector is authorized to inspect the railway lines, rolling stock, railway traffic flow and the performance of work on railway lines, rolling stock and within the protective railway band, and to check technical and other documentation relating to railway lines, rolling stock, competences of the executive staff members, performance of work on railway lines, rolling stock and within the protective railway band and the flow of the railway traffic.

(2) The infrastructure manager, railway undertaking, legal person performing transport for own needs, industrial railway and other legal and natural persons subject to inspection under this Act, shall allow the inspector to conduct the inspection without obstructions.

(3) The infrastructure manager, railway undertaking, legal person performing transport for own needs or industrial railway are required to provide the inspector with all the necessary permits for the ride on the railway vehicles and trains, licenses (passes) allowing him the unobstructed access to all the facilities under to be inspected, and to provide for all other requirements so that such inspection may be conducted without obstructions and in full.

Article 86

(1) When conducting the inspection, the inspector is authorized to:

1. Temporarily ban the use of the railway line or individual structures, installations or devices on the railway line, industrial track and rolling stock which do not comply with the requirements for the safe railway traffic, or which are used prior to the completed technical inspection or without the operating licence,
2. Suspend the execution of the order or prohibit taking of further inappropriate activities which might endanger the safety of the railway traffic,
3. Order to remove within the determined period the irregularities and defects in carrying out of the railway traffic, on railway lines, industrial tracks and rolling stock, and where applicable, determine the safety measures which are to be taken temporarily,
4. Temporarily suspend the work executed on the railway line, on the protective railway band or rolling stock, if such execution might endanger the safety of the railway traffic, or if they are

executed without the prescribed permit, or if they are executed without having taken the measures for the safety of the railway traffic,

5. Order or request to temporarily prohibit the work to an executive staff member or industrial railway staff member, temporarily remove or request to temporarily remove such staff member from performing certain tasks in the railway traffic, order or request that the executive staff member take the alcohol, drug or psychoactive substance test, and send or request that such staff member be sent to an additional medical examination or knowledge test, under the circumstances and in the manner determined by this Act,

6. Temporarily seize documents and items relevant for the performance of inspection, and issue the receipt thereof,

7. Take statements and interrogate the person who has violated regulations and establish the identity of persons.

(2) The inspector shall be authorized to take other measures in compliance with this Act and regulations arising from this Act.

(3) If he establishes that this Act or some other regulation referring to the railway traffic safety has been violated, the inspector shall have the right and the authority to file for initiation of the minor offence proceedings.

Article 87

(1) The inspector shall issue prohibitions, orders and prescribe measures in a written decision.

(2) By way of derogation from the provisions of paragraph 1 of this Article, when it is required to take urgent measures in order to eliminate the immediate danger to the safety of the railway traffic, the inspector may issue the decision verbally.

(3) The infrastructure manager, railway undertaking, legal person performing transport for own needs, industrial railway and other legal and natural persons shall act in compliance with the decision of the inspector within the period determined in the decision, and they shall notify the inspection that the decision has been executed in writing within thirty (30) days from the expiry of the period for its execution.

(4) The infrastructure manager, railway undertaking, legal person performing transport for own needs, industrial railway and other legal persons shall at the request of the inspector and within the specified time limit expressly designate and notify the inspector in writing about the responsible person of the legal person who is responsible for failing to execute the inspector's decision or for acting contrary to the provisions of this Act.

Article 88

(1) No complaints against the decisions of the inspector are allowed.

(2) An administrative dispute may be filed against the decisions referred to in paragraph 1 of this Article if a claim is submitted to the Administrative Court within 30 days from the date of the receipt of the decision.

(3) The claim filed against the decision of the inspector shall not result in stay of execution.

Article 89

(1) The infrastructure manager, railway undertaking, legal person performing transport for own needs, industrial railway and other legal persons shall in due time and without special request submit to inspection the following:

- general acts passed pursuant to this Act and general acts, or instructions, which elaborate in more detail the implementation of particular regulations passed pursuant to this Act,
- adopted train timetable,

- notification on the execution of work on railway lines and within the protective railway band endangering the safety of the railway traffic,
- notification on irregular event in which at least one person was killed or injured, or considerable material damage or considerable interruption of traffic was caused,
- notification on the beginning of utilization of railway lines or particular structures, installations or devices on the railway line or industrial or other track which is not the public property in common use, and rolling stock.

(2) At the inspection's request, the infrastructure manager, railway undertaking, legal person performing transport for own needs, industrial railway and other legal persons shall submit within the specified time limit other documents or information relating to railway lines, rolling stock, railway traffic, executive staff members, etc.

Article 90

The inspection may authorize experts from other bodies and institutions, or other legal persons, to perform particular activities in connection with the supervision, if special expert skills or equipment are required for such activities.

Article 91

- (1) The inspector shall have an official identification card, proving his official status, identity and authorization.
- (2) The form and the manner of use of the official identification card shall be defined by the minister.
- (3) The Ministry shall keep the records of issued and returned official identification cards.

VI. PENAL PROVISIONS

Article 92

(1) A fine for an offence ranging from HRK 50,000.00 to 200,000.00 shall be imposed on the following:

1. The infrastructure manager or railway undertaking if it fails to organise and permanently conduct checks over safe traffic circulation, in accordance with Article 6, paragraph 1 of this Act,
2. The legal person responsible for road maintenance if it fails to erect or maintain protective railing in accordance with the provisions of Article 15 of this Act,
3. The legal person if, contrary to the provisions of Article 15 of this Act, it erects, places or uses the pipelines, electric power lines and other overhead lines, underground cables and other similar installations so that they threaten the safety of the railway traffic, or disturb its circulation and development, or if such installations are placed without prior approval, or contrary to the general requirements stipulated by the minister, i.e. contrary to the special requirements determined by the infrastructure manager,
4. The legal person if, contrary to the provisions of Article 16 of this Act, it constructs structures or plants which are not railway structures or installations within the protective railway band, or if structures and plants intended for loading and unloading of items in railway transport are constructed without prior approval or contrary to the requirements determined by the infrastructure manager,
5. The legal person if, contrary to the provisions of Article 17 of this Act, it constructs structures or plants within the protective railway band, or if it plants trees and vegetation contrary to the general requirements stipulated by the minister, i.e. special requirements determined by the infrastructure manager,

6. The infrastructure manager if it fails to maintain the railway infrastructural subsystems where it carries out transport in the condition enabling safe circulation of traffic in accordance with the provisions of Article 19, paragraphs 1 and 2 of this Act,
 7. The legal person owner or possessor of the prototype, if the prototype is used in traffic without the operating licence in accordance with the provision of Article 22, paragraph 1 of this Act,
 8. The legal person owner or possessor of the prototype if, contrary to the provisions of Article 23, paragraphs 1, 4 and 6 of this Act, the prototype is used in traffic without the temporary operating approval, or if the prototype is not withdrawn from use after the expiry of the temporary operating approval,
 9. The legal person owner or possessor of a railway vehicle, if the railway vehicle is used in traffic without the operating licence referred to in article 25, paragraph 3 of this Act,
 10. The railway undertaking or the legal person owner or possessor of the railway vehicle if, contrary to the provisions of Article 36 of this Act, they transport or use on the railway line the railway vehicle, loaded or empty, which in terms of the rolling-stock gauge, axle load, load per linear metre, structural, technical or other properties, does not comply with the specified requirements for the railway line on which it is transported or used, or if it transports or uses irregular shipment without approval, or contrary to the general transport requirements stipulated by the minister, or special requirements approved by the infrastructure manager,
 11. The infrastructure manager if, pursuant to the provisions of Article 40 of this Act, it fails to equip the railway line with the prescribed signals and signal markings, or if it fails to mark with prescribed signals and signal markings temporary prohibitions, restrictions and other dangers in traffic, or if it fails to remove the signals and signal markings marking temporary prohibitions, restrictions and other dangers in traffic as soon as such reasons for which they were placed cease,
 12. The infrastructure manager if, contrary to the provisions of Article 52, paragraphs 4 and 6 of this Act, it places devices for securing rail-road level crossing or a pedestrian rail level crossing which do not conform to the prescribed technical requirements, or if it fails to maintain such devices,
 13. The infrastructure manager if, pursuant to the provisions of Article 53 of this Act, it fails to erect and maintain the pedestrian railings at the pedestrian rail level crossing, or if it erects pedestrian railings which do not conform to the prescribed requirements, or if it fails to maintain such protective railings,
 14. The infrastructure manager if, pursuant to the provisions of Article 55 of this Act, it fails to erect the prescribed signal in front of a rail-road level crossing or a pedestrian rail level crossing, or if these signals are not coated in the reflecting coating, or if it fails to maintain such signal,
 15. The infrastructure manager if it fails to maintain the rail-road and pedestrian rail level crossing in the state fit for the safe railway traffic pursuant to the provision of Article 57, paragraph 3 of this Act,
 6. The infrastructure manager shall if it fails to erect and maintain protective barriers over electrified railway line in accordance with the provision of Article 58 of this Act,
 17. Legal person if it acts contrary to the provisions of Article 72, paragraphs 1, 2, and 3 of this Act.
- (2) Natural persons, natural persons owners or possessors or the prototype or a natural person owner or possessor of a railway vehicle shall be fined with HRK 15,000.00 for the violations referred to in paragraph one, items 3, 4, 5, 7, 8, 9, 10 and 17 of this Article.
- (3) Responsible persons of the infrastructure manager, railway undertaking, legal person responsible for road maintenance, legal person, legal person owner or possessor of the prototype, or legal person owner or possessor of a railway vehicle shall be fined with HRK 5,000.00 to HRK 15,000.00 for the violations referred to in paragraph 1 of this Article.

(1) A fine for an offence ranging from HRK 40,000.00 to 100,000.00 shall be imposed on the following:

1. The infrastructure manager or railway undertaking fail to notify the Ministry or the safety authority about the state and problems regarding safety no later than 31 May of the current year pursuant to the provisions of Article 7 of this Act,
2. The infrastructure manager if, pursuant to the provisions of Article 20, paragraphs 1, 2, 5 and 6 of this Act it fails to keep the infrastructure register and other records and technical data for each railway infrastructural subsystem relevant for the railway traffic safety and adjust them once a year, or if it fails to submit the infrastructure register and other records and technical data to the Ministry, or if fails to notify the Ministry without delay about all the changes on the infrastructure it manages which are relevant for the railway traffic safety,
3. Railway undertaking, infrastructure manager, legal person performing transport for own needs and owner or possessor or a railway vehicle if, contrary to the provisions of Article 28, paragraphs 1 and 3 of this Act, it fails to maintain the railway vehicles used for transport in the condition ensuring safe traffic, or if it entrusts the maintenance of the railway vehicles to legal and natural persons that are not authorised for such work,
4. The infrastructure manager, railway undertaking or legal person performing transport for own needs, if it fails to carry out railway traffic in accordance with the prescribed signals and signal markings, and traffic and signalling rules in accordance with the provision of Article 42 of this Act,
5. The infrastructure if at places of landslides, torrents, and places exposed to blizzards and strong winds, it fails to undertake the required technical and physical protective measures in accordance with the provision of Article 73 of this Article,
6. The legal person owner or possessor of an industrial or other line which is not public property in common use if it fails to act in accordance with the provisions of Article 76 of this Act,
7. The legal person owner or possessor of an industrial line if, pursuant to the provisions of Article 77, paragraphs 1 and 2 of this act, an industrial railway vehicle does not meet the requirements prescribed for safe railway traffic, or fails to maintain such vehicle, or if an industrial railway staff member fails to meet the professional and health and other requirements prescribed for safely performing railway traffic,
8. The legal person owner or possessor of the industrial railway, if it carries out railway traffic on the industrial railway contrary to the prescribed way and the prescribed requirements in accordance with the provision of Article 78, paragraph 1 of this Act,
9. The legal person owner or possessor of an industrial or other track which is not public property in common use, if it carries transport on such tracks contrary to the provision of Article 80, paragraph 2 of this Act.

(2) Natural persons, owners or possessors of a railway vehicle, or owner or possessor of industrial or other lines which are not public property in common use shall be fined with HRK 10,000.00 for the violations referred to in paragraph 1, items 3, 6 and 9 of this Article.

(3) Responsible persons of the infrastructure manager, railway undertaking, legal person responsible for road maintenance, legal person performing transport for own needs, legal person owner or possessor of industrial or other lines which are not public property in common use, or legal person owner or possessor of an industrial railway shall be fined with HRK 4,000.00 to HRK 10,000.00 for the violations referred to in paragraph 1 of this Article.

Article 94

(1) A fine for an offence ranging from HRK 30,000.00 to 50,000.00 shall be imposed on the following:

1. The infrastructure manager, contrary to the provisions of Article 18 of this Act, fails to ensure the conditions for the safe circulation of railway traffic during works on the railway line, or if after the completion of these works fails to put into operation all the necessary plants, devices

and equipment for the safe circulation of railway traffic, or if in the case when traffic starts before the works have been fully completed it fails to determine temporary requirements for safe traffic inform all the parties concerned thereof,

2. The contractor if, pursuant to the provisions of Article 18, paragraph 1 and 2 of this Act it fails to undertake safety measures for the workers executing the work on the railway line, or if after the works have been completed it fails to remove from the railway line the waste, tools or other objects,

3. Railway undertaking, infrastructure manager or legal person performing transport for own needs if, contrary to the provisions of Article 29, paragraphs 1, 3 and 4 of this Act, it fails to keep the records and other technical data on the railway vehicles relevant for traffic safety, use and maintenance of such vehicles, or if it fails to submit such records and technical data to the Ministry at its request, or if fails to notify the Ministry without delay about all the changes on the railway vehicles in use on the railway lines which are relevant for safety,

4. The infrastructure manager if, pursuant to the provisions of Article 30, paragraphs 1, 2 and 4 of this Act, fails to determine the timetable for each train, or fails to determine in advance the timetable for trains in public transport and its applicability, or if it fails to ensure the conditions for traffic of trains according to the adopted train timetable and to undertake measures necessary for its safe, regular and unobstructed implementation,

5. Railway undertaking if, pursuant to the provision of Article 30, paragraph 5 of this Act, it fails to follow the determined train timetable,

6. Infrastructure manager if it fails to publish the train timetable for regular passenger transport no later than 15 days before the first day of its application, in accordance with the provision of Article 31, paragraph 1 of this Act,

8. The infrastructure manager, railway undertaking or legal person performing transport for own needs if it fails to conduct the railway traffic the manner and under the conditions which are stipulated for the performance of the safe railway traffic and in compliance with other stipulated conditions pursuant to the provision of Article 33, paragraph 1 of this Act,

9. Railway undertaking if, pursuant to the provisions of Article 34, paragraphs 1, 2 and 3 of this Act, fails to illuminate the interior of passenger wagons at night and during the day where the train runs through the tunnel for more than three minutes, or if it fails to heat passenger wagons to at least +18 °C if the external temperature is below +12 °C, or if it fails to mark passenger trains with the sign indicating the direction of travel, or if it fails to mark the seats for disabled persons in passenger wagon, The transport of passengers and things shall be carried out by the railway vehicle which is by its construction intended for such purpose.

10. Railway undertaking if, contrary to the provisions of Article 35 of this Act, it performs passenger and cargo transport in a railway vehicle which is in terms of construction not intended for such purposes, or if it fails to carry out the transport of hazardous substances in accordance with the regulations governing the transport of such substances,

11. The infrastructure manager if it entrusts traffic control of the trains to the person that has not obtained the right to carry out such tasks pursuant to the provisions or Article 48, paragraphs 1 and 2 of this Act,

12. Railway undertaking, infrastructure manager or legal person performing transport for own needs if it entrusts the driving of a traction vehicle to the person who has not acquired the right to perform these tasks in accordance with the provisions of Article 48 of this Act,

13. The legal person responsible for road maintenance if it fails to ensure the prescribed visibility from the road over the railway line in the area where visibility must be ensured for a rail-road level crossing or pedestrian rail level crossing in accordance with the provision of Article 52, paragraph 7 of this Act,

14. The infrastructure manager if it fails to maintain the pavement or pedestrian way in the part of the rail-road level crossing or pedestrian rail level crossing over the line in accordance with the provisions of Article 54 of this Act,

15. The legal person if it crosses over the rail-road level crossing with a vehicle driving with the

permit for irregular shipment without the approval, or contrary to the requirements determined by the infrastructure manager in accordance with the provision of Article 59 of this Act,

16. Infrastructure manager if, pursuant to Article 60, paragraphs 1, 3 and 4 of this Act, fails to notify as soon as becoming aware of the irregular event the health institution nearest to the site of the event, or if it fails to take measures for the rescuing of persons and providing the assistance to the injured persons in irregular events, or if it fails to secure the site of irregular event until the arrival of authorised persons of responsible bodies, depending on the type of irregular event,

17. Railway undertaking or legal person holder of safety if, pursuant to the provisions of Article 60, paragraphs 1 and 4 of this Act, it fails to take measures for the rescuing of persons and providing the assistance to the injured persons in irregular events, or if it fails to secure the site of irregular event until the arrival of authorised persons of responsible bodies, depending on the type of irregular event,

18. The infrastructure manager of railway undertaking if they fail to take as soon as possible the measures for re-establishing the traffic which was interrupted due to the irregular event in accordance with the provision of Article 64, paragraph 1 of this Act,

20. The infrastructure manager, railway undertaking or legal person performing transport for own needs if they fail to organise and carry out the investigation of the irregular event in accordance with the provision of Article 65, paragraph 1 of this Act,

21. The infrastructure manager if it fails to enforce internal rules in within the infrastructural band in accordance with the provision of Article 71, paragraph 1 of this Act,

22. Railway undertaking if it fails to enforce internal rules on trains in accordance with the provision of Article 71, paragraph 1 of this Act,

23. The legal person the owner or possessor or an industrial and other track which is not public property in common use if such a track is designed, built, constructed and maintained contrary to the requirements referred to in Article 75, paragraphs 1 and 2 of this Act, or if such a track is connected to the railway lines without meeting additional requirements from Article 75, paragraph 4 of this Act,

24. the legal person owner or possessor of the industrial railway if, contrary to the provisions of Article 81 of this Act, the rolling stock or staff members of the industrial railway exceptionally participate in the traffic on the railway line without the approval, or contrary to the requirements determined by the infrastructure manager, or if it exceptionally participates in the traffic on the railway line when the rolling stock or staff members of the industrial railway do not meet the stipulated requirements for the rolling stock and executive staff member in public transport,

25. The infrastructure manager, railway undertaking or legal person performing transport for own needs if it fails to temporarily prohibit the carrying out of tasks to the executive staff member in the circumstances prescribed by the provision of Article 82, paragraph 1 of this Act,

26. The infrastructure manager, railway undertaking, legal person performing transport for own needs, legal person owner or possessor of the industrial railway or other legal persons subject to the inspection supervision under the Act, if it fails to allow the inspector to carry out inspection supervision without obstructions in accordance with Article 85, paragraph 2 of this Act,

27. The infrastructure manager, railway undertaking, legal person performing transport for own needs, legal person owner or possessor of the industrial railway or other legal persons subject to the inspection supervision under the Act, if it fails to provide the inspector with all the necessary permits in accordance with the provision of Article 85, paragraph 3 of this Act,

28. The infrastructure manager, railway undertaking, legal person performing transport for own needs, legal person owner or possessor of the industrial railway or other legal persons subject to the inspection supervision under the Act if, pursuant to the provisions of Article 87, paragraphs 3 and 4 of this Act it fails to act in compliance with the decision of the inspector or notify the inspection that the decision has been executed in writing within thirty (30) days from the expiry of the period for its execution, or if at the request of the inspector it fails to determine in writing

the responsible natural person responsible for failing to execute the inspector's decision or for acting contrary to the provisions of this Act,

29. The infrastructure manager, railway undertaking, legal person performing transport for own needs, legal person owner or possessor of the industrial railway or other legal persons subject to the inspection supervision under the Act if it fails to submit in due time to the inspection all general and other acts, certain train timetable, notifications and information in accordance with the provisions of Article 89 of this Act.

(2) Natural persons, owners or possessors industrial or other tracks which are not public property in common use shall be fined with HRK 8,000.00 for the violations referred to in paragraph 1, item 23 of this Article.

(3) Natural persons or natural persons subject to inspection supervision under the Act shall be fined with HRK 5,000.00 for the violations referred to in paragraph 1, items 15, 26, 27 and 28 of this Article.

(4) Responsible persons of the infrastructure manager, contractor, railway undertaking, legal person performing transport for own needs, legal person responsible for road maintenance, legal person owner or possessor of industrial or other tracks which are not public property in common use, legal person owner or possessor of the industrial railway or other legal person subject to inspection supervision under the Act shall be fined with HRK 3,000.00 to HRK 5,000.00 for the violations referred to in paragraph 1 of this Article.

Article 95

(1) A fine for an offence ranging from HRK 10,000.00 to 30,000.00 shall be imposed on the following:

1. The infrastructure manager and the railway undertaking if, pursuant to the provisions of Article 37, paragraphs 1 and of this Act, it fails to keep records and other data on train traffic relevant for the safe railway traffic, or if it fails to make the records and data available to the Ministry at its request,

2. The infrastructure manager, railway undertaking or legal person performing transport for own needs if it fails to mark the train it uses in traffic with the prescribed signals in accordance with the provision of Article 41 of this Act,

3. The infrastructure manager, railway undertaking or legal person performing transport for own needs if, pursuant to the provisions of Article 44, paragraphs 1, 2, and 3 of this Act, the executive staff member does not have appropriate education, or if he has failed the professional education programme, or if the executive staff member is not professionally trained or taught, or if in the scope relevant for traffic safety he is not periodically and on prescribed occasions additionally examined,

4. The infrastructure manager, railway undertaking or legal person performing transport for own needs if, pursuant to the provisions of Article 45, paragraphs 1 and 2 the executive staff member and the person undergoing vocational education, depending on tasks he is performing, fails to satisfy the health requirements, or if periodically, and on the prescribed occasions exceptionally, it fails to check the health competence of an executive staff member,

5. The infrastructure manager, railway undertaking or legal person performing transport for own needs if, pursuant to the provisions of Article if it assigns or lets an executive staff member to work contrary to the provisions of Article 49 of this Act,

6. The infrastructure manager or railway undertaking if on certain tasks at the official place or on the train the executive staff member is not trained to provide first aid to the injured in accordance with the provision of Article 61, paragraphs 1 and 2 of this Act,

7. The infrastructure manager, railway undertaking or legal person performing transport for own needs if the traction vehicle, passenger train or official place on the rail is not equipped with the prescribed first aid kit in accordance with the provisions of Article 62 of this Act,

8. The infrastructure manager, railway undertaking or legal person performing transport for own

needs if it fails to temporarily remove the executive staff member from duty in accordance with the provision of Article 83, paragraph 1 of this Act.

(2) Responsible person or the infrastructure manager, railway undertaking or legal person performing transport for own needs shall be fined with HRK 1,000.00 to 3,000.00 for the offences referred to in paragraph 1 of this Article.

Article 96

(1) A fine for an offence ranging from HRK 500.00 to 2,000.00 shall be imposed on the following:

1. The executive staff member of the infrastructure manager, railway undertaking or legal person performing transport for own needs if he fails to conduct railway traffic in the manner and under the conditions which are stipulated for the performance of the safe railway traffic and in compliance with other stipulated conditions, in accordance with the provision of Article 3, paragraph 1 of this Act,
2. The executive worker of the railway undertaking if he fails to illuminate passenger wagons during the night and during the day where the train runs through the tunnel for more than three minutes, or to heat the wagon to at least +18 °C if the external temperature is below +12 °C, or fails to mark the passenger train with the sign indicating the direction of travel in accordance with the provisions of Article 34, paragraphs 1 and 2 of this Act,
3. The executive staff member of the infrastructure manager, railway undertaking or legal person performing transport for own needs if he fails to mark the train he uses in traffic with prescribed signal in accordance with the provisions of Article 41 of this Act,
4. The executive staff member of the infrastructure manager, railway undertaking or legal person performing transport for own needs if he fails to conduct the railway traffic shall be carried out according to the prescribed signal signs and signal markings in compliance with traffic and signal rules in accordance with the provision of Article 42 of this Act,
5. The executive staff member of the infrastructure manager, railway undertaking or legal person performing transport for own needs if, contrary to the provisions of Article 47, paragraphs 1 and 2 of this Act, he takes alcoholic drinks, narcotics or psychotropic substances or starts performing his tasks when there is alcohol, narcotics or psychotropic substances in his body, or if he fails to undergo or refuses testing for traces of alcohol, narcotics or psychotropic substances in his body at the request of the authorised employee of the infrastructure manager, railway undertaking or legal person performing transport for own needs or railway traffic safety inspector
6. Natural persons if, contrary to the provision of Article 51, paragraph 1 of this Act, they cross the railway line outside the rail-road level crossing or pedestrian rail level crossing,
7. The executive staff member of the infrastructure manager, railway undertaking or legal person performing transport for own needs or other person if they happen to be or come across the site of irregular event where there are injured or dead persons, and if they fail to provide assistance in accordance with the provision of Article 60, paragraph 1 of this Act,
8. The executive staff member of the infrastructure manager, railway undertaking or legal person performing transport for own needs if he happens to be or comes across the site of irregular event where there are injured or dead persons and if he fails to immediately notify the infrastructure manager about the irregular event in accordance with the provision of Article 60, paragraph 2 of this Act,
9. The persons if, contrary to the provisions of Article 70, paragraphs 1 and 2 of this Act they access or move within the infrastructural band which have not been designated by the infrastructure manager, or if at places designated for access and movement within the infrastructural band and on trains fail to comply with the internal rules of conduct in the railway traffic,
10. The executive staff member of the infrastructure manager, railway undertaking or legal

person performing transport for own needs if he performs the tasks during the period he was prohibited from carrying out of these duties in accordance with the provisions of Article 82 of this Act,

11. The executive staff member of the infrastructure manager, railway undertaking or legal person performing transport for own needs if he performs the tasks during the period he was temporarily removed from duty in accordance with the provisions of Article 83 of this Act.

(2) In addition to the fine referred to in paragraph 1, items 5, 10 and 11 of this Article, the executive staff member who commits the offence may be staff member may also be issued a prohibitory measure of performing the tasks of the executive staff member for the period from three months to one year.

VII. TRANSITIONAL AND FINAL PROVISIONS

Article 97

Adaptation of the existing crossings of railway lines and roads in order to comply with to the requirements stipulated in Article 50, paragraphs 1 and 2 of this Act shall be carried out in accordance with the plans for development and maintenance of the railway infrastructure and roads.

Article 98

The training of the executive staff in first aid assistance, as stipulated in Article 61 paragraph 1 of this Act, shall be completed within one year following the entry into force of this Act.

Article 99

(1) The minister shall pass the following regulations:

- referred to in Article 91, not later than within 6 months from entry into force of this Act,
- referred to in Article 9 paragraph 5, referred to in Article 10 paragraph 2, referred to in Article 21 paragraph 3, referred to in Article 26 paragraph 2, referred to in Article 31 paragraph 4, referred to in Article 33 paragraph 2, referred to in Article 43 paragraph 2 and referred to in Article 75 paragraph 3, not later than within one year from entry into force of this Act
- referred to in Article 9 paragraph 5, referred to in Article 15 paragraph 2, referred to in Article 17 paragraph 2, referred to in Article 19 paragraph 2, referred to in Article 27 paragraph 2, referred to in Article 28 paragraph 2, referred to in Article 28 paragraph 4, referred to in Article 36 paragraph 3, referred to in Article 39 paragraph 3, referred to in Article 44 paragraph 5, referred to in Article 50 paragraph 3, referred to in Article 52 paragraph 5, referred to in Article 56 paragraph 2, referred to in Article 57 paragraph 3, referred to in Article 65 paragraph 3, referred to in Article 66 paragraph 5, referred to in Article 67 paragraph 4, referred to in Article 68 paragraph 3, referred to in Article 69 paragraph 1 and referred to in Article 71 paragraph 4, not later than within two years from entry into force of this Act,
- referred to in Article 9 paragraph 6 and referred to in Article 20 paragraph 3, not later than within three years from entry into force of this Act,
- referred to in article 68 paragraph 3 not alter than until the Republic of Croatia becomes Member of the European Union.

(2) Until the entry into force of regulations referred to in paragraph 1 of this Article, with the exception of provisions contrary to this Act, the following subordinate legislation of the Railway Traffic Safety Act shall remain in force and continue to apply accordingly:

1. Ordinance on the method and requirements for the safe railway traffic flow (Official Gazette 32/94, 39/96),

2. Ordinance on technical requirements for the safe railway traffic flow to be complied with by the railway lines (Official Gazette 84/94, 32/96, 21/04),
3. Ordinance on criteria, procedure, method of establishment and insurance of the rail-road level crossings (Official Gazette 32/94, 96/94, 33/01, 122/03, 83/04, 69/06),
4. Ordinance on technical requirements for the safe railway traffic flow to be complied with by the rolling stock (Official Gazette 82/96, 161/98, 101/03, 179/03),
5. Ordinance on technical inspection of rolling stock (Official Gazette 32/94, 45/00),
6. Ordinance on tasks in which the employees directly participate while carrying out the railway traffic (Official Gazette 32/94),
7. Ordinance on the form of official identification card of railway safety inspectors (Official Gazette 15/95).

(3) Until the entry into force of regulations referred to in paragraph 1 of this Article, with the exception of provisions contrary to this Act, the following by-laws shall remain in force and continue to apply accordingly:

1. Ordinance on signalling (Official Journal of CR (Croatian Railways), No. 6/97, 5/98, 8/00, 2/02, 6/04, 9/05),
2. Ordinance on railway traffic operations (Official Journal 3/97, 4/99, 2/00, 3/00, 6/02, 1/03, 7/03, 1/04, 6/04, 5/05, 6/05, 1/06, 2/06),
3. Ordinance on train timetables (Official Journal 6/98, 4/99, 2/01, 7/01, 1/04, 6/04, 5/05, 7/05)
4. Ordinance on operative traffic control (Official Journal 8/04),
5. Ordinance on the use of telecommunication connections and devices (Official Journal 5/98),
6. Instruction on traffic records (Official Journal 3/97, 7/01, 8/02, 1/03, 2/03, 2/04, 7/05),
7. Traffic operations instructions (Official Journal 3/97, 4/99, 6/00, 8/00, 7/03, 1/04, 4/05, 7/05)
8. Instructions on technical norms and data for the preparation and execution of the train timetable (Official publication Journal no. 5/06, 7/96),
9. Ordinance on transport of irregular shipments (Official Journal 9/04)
10. Ordinance on the use of wagons, containers, palettes and freight equipment (Official Journal 3/97, 6/00, 4/04),
11. Instruction on operative and car records (Official Journal 3/97, 4/04),
12. Ordinance on train traction (Official Journal 4/99, 2/03, 6/04, 3/05, 1/06)
13. Instruction for keeping records on technical inspection of Croatian Railways wagons and trains (Official Journal 3/97, 8/02)
14. Instructions for the use of the speedometer device on traction and other vehicles and processing of the registration line (Decision on the regulations of the Yugoslav Railways which are in the Croatian Railways applied as the regulations of CR, Official Journal 20/91, Official Journal 2/02, 6/04, 1/05)
15. Ordinance on rolling stock brakes (Decision on the regulations of the Yugoslav Railways which are in the Croatian Railways applied as the regulations of CR, Official Journal, Official Journal 20/91),
16. Ordinance on Croatian Railways rolling stock maintenance (12/98, 9/01, 6/02, 6/03, 7/03, 1/04, 2/04, 4/04, 1/05, 7/05),
17. Instructions for the inspection and regular repair of rolling stock (Official Journal 2/94, 7/01, 7/04, 4/05),
18. Instructions for test drives and weighing of rolling stock (Official Journal 6/93),
19. Instructions on marking of rail vehicles (Official Journal 3/93, 1/02, 6/04),
20. Instructions for measuring ohm drag on rolling stock shaft bank (Official publication YRA, Official Journal 20/91),
21. Instructions for maintenance of brakes of rail vehicles (Official publication YRA, Official Journal 20/91, 1/99),
22. Ordinance of the technical rolling stock service (Official publication YRA 6/88, Official Journal 20/91),

23. Instructions for carriage and wagon examiners (Official publication YRA, Official Journal 20/91),
24. Instructions for heating of passenger cars (Official publication YRA, Official Journal 20/91, 5/06),
25. Instructions for installation and maintenance of liquid gas cooking devices in railway vehicles (Official Journal 6/93),
26. Instructions on braking of trains (Official Journal 6/05, 7/05, 9/05, 1/06, 7/06),
27. Instructions on technical requirements for maintenance of TMD series 911 (Official publication YRA, Official Journal 20/91),
28. Ordinance on insulating rail joints in track (Official publication YRA, Official Journal 20/91),
29. Ordinance on track maintenance (Official publication YRA, Official Journal 20/91, 5/04, 8/04),
- (30) Ordinance on subgrade and structures maintenance (Official publication YRA, Official Journal 20/91),
31. Ordinance on technical measures for loading of railway bridges and water ducts (Official publication YRA 3/77, Official Journal 20/91),
32. Ordinance on construction within the protective railway band (Official Journal 4/97, 6/04, 4/05)
33. Ordinance on classification of railway lines (Official publication YRA, Official Journal 20/91),
34. Instructions on installation and maintenance of CWR in track and switches and crossings (Official publication YRA, Official Journal 20/91),
35. Instructions for aluminothermic welding of rails by procedure with flat reinforcement (Official publication YRA, Official Journal 20/91, 7/05),
36. Instructions for safety of traffic operations during winter (Official publication YRA, Official Journal 20/91),
37. Instructions for performance of work on the earth substructure of existent lines for achieving higher speeds (Official publication YRA, Official Journal 20/91),
38. Instructions for track geometry inspection by track recording car with EM-120 technical-measuring characteristics (Official Journal 4/05),
39. Instructions for track geometry inspection by visual inspection and manual measurement (Official Journal 4/05),
40. Instructions for inspection of the condition of half-sets of switches on switches and crossings (Official Journal 4/05),
41. Ordinance on maintenance of signalling and safety facilities (Official publication YRA, Official Journal 20/91, 7/02),
42. Ordinance on functioning of the telecommunication system (Official publication YRA, Official Journal 20/91),
43. Ordinance on quantity and type of telecommunication connections, devices and facilities (Official publication YRA, Official Journal 20/91),
44. General technical regulations for relay station signalization-safety devices (Official publication YRA 3/58, 12/65, 5/67, 8/72, 5/74, 1/75, Official Journal 20/91, 2/02),
45. Technical requirements for safety of traffic on rail-road level crossings (Official publication YRA, Official Journal 20/91, 5/99, 2/02),
46. Technical requirements for delivery and installation of signalling and telecommunication equipment on main lines (Official publication YRA, Official Journal 20/91, 2/02),
47. Technical requirements for high-frequency devices of the V-300 system (Official publication YRA, Official Journal 20/91),
48. Technical requirements for railway automatic teleprinter centres (Official publication YRA 2-3/63; Official Journal 20/91),

49. Ordinance on technical requirements to be complied with by radio-dispatcher system devices in railway traffic (Official Journal 7/05),
50. Decision on technical requirements for railway vehicles operating on lines equipped with automatic rail block and remote control (Official publication YRA, Official Journal 20/91),
51. Instructions for use of induction auto-stop device I-60 (Official publication YRA, Official Journal 20/91, 6/04),
52. Instructions for installation, testing, placing in operation and maintenance of locomotive part of auto-stop device I-60 (Official publication YRA, Official Journal 20/91),
53. Instructions for application, installation, testing and maintenance of auto-stop devices I-60 (Official publication YRA, Official Journal 20/91, 1/04, 6/05, 7/05),
54. Instructions on maintenance of overhead telecommunication lines and conduits (Official Journal 4/02, 7/02),
55. Instructions on maintenance of underground telecommunication cables (Official Journal 7/03, 1/04),
56. Instructions on types and use of telecommunication devices and connections (Official publication YRA, Official Journal 20/91),
57. Instructions for use of radio-dispatcher station *Kapsch* (Official Journal 7/02),
58. Ordinance on use of fixed electrical traction installations (Official publication YRA, Official Journal 20/91),
59. Ordinance on maintenance of fixed electrical traction installations (Official publication YRA, Official Journal 20/91),
60. Instructions for inspection, testing and putting into operation of fixed electrical traction installations owing facilities with AC 25 kV, 50 Hz single-phase system (Official publication YRA, Official Journal 20/91),
61. Instructions on protective measures against electrical current on electrified railway lines (Official publication YRA, Official Journal 20/91),
62. Manual for application of protective measures against electrical current on AC 25 kV, 50 Hz single-phase system network (Official publication YRA, Official Journal 20/91),
63. Manual for application of protective measures against electrical current on DC 3 kV system contact network (Official publication YRA, Official Journal 20/91),
64. Instructions for performance of tasks on railway lines electrified with AC 25 kV, 50 Hz single-phase system (Official publication YRA, Official Journal 20/91),
65. Instructions for application of signal markings for electrical traction (Official publication YRA, Official Journal 20/91),
66. Instructions for catenary measuring and testing (Official publication YRA, Official Journal 20/91),
67. Instructions on technical requirements for construction and standardized, piece and periodical testing of protective devices and tools used on electrified railway lines (Official publication YRA, Official Journal 20/91),
68. Instructions for designing of AC 25 kV, 50 Hz single-phase system catenary (Official publication YRA, Official Journal 20/91),
69. Instructions for construction of AC 25 kV, 50 Hz single-phase system catenary (Official publication YRA, Official Journal 20/91),
70. Instructions for maintenance of AC 25 kV, 50 Hz single-phase system catenary (Official publication YRA, Official Journal 20/91),
71. Interim technical instructions for design and construction of AC 25 kV, 50 Hz single-phase system catenary (Official publication YRA, Official Journal 20/91),
72. Technical requirements for construction, testing, reception and delivery of single-phase transformers 110/27, 5 kV, 50 Hz- 7500 kV (Official publication YRA, Official Journal 20/91),
73. Instructions for inspection, testing and putting into operation of AC 25 kV, 50 Hz single-phase system catenary (Official publication YRA, Official Journal 20/91),

74. Interim technical instructions for design and construction of AC 25 kV, 50 Hz single-phase system catenary, part IV-return conduit and grounding (Official publication YRA, Official Journal 20/91),
75. Instructions for installation of rail magnets of auto-stop devices on railway lines at places where speed needs to be temporarily reduced (slow order) (Official Journal 8/00, 9/01),
76. Special technical requirements for simplified signalling and safety devices (Official Journal 2/98, 2/03, 2/06),
77. Instructions for use and installation of ambulance switch lock (Official Journal 8/98),
78. Interim instructions for maintenance of signalling and safety devices in the territory of Railway Transport Company (RTC) Zagreb (Željezničar no. 85-86, Official Journal 1/06),
79. Instructions for use of call logging system "MDD 500" and provisions for operation of telegraph-telephone communication (Official Journal 4/01, 8/02),
80. Instructions for use for call logging system – tape recorders in the territory of Railway Company Association (RCA) Zagreb (RCA no. 663/64),
81. Ordinance on irregular events (Official Journal 7/02, 2/03),
82. Instructions on procedures to be conducted during investigation of irregular events (Official Journal 9/04),
83. Ordinance on education and training (Official Journal 20/91),
84. Ordinance on internship, teaching and testing the knowledge of executive staff members of CR Croatian railways (Official Journal 1/96, 1/04),
85. Ordinance on internal control (Official Journal 16/91),
86. Ordinance on publication of railway regulations (Official Journal 1/03, 1/04, 1/05, 1/06, 9/06),
87. Ordinance on railway internal rules (Official publication YRA, Official Journal 20/91)
88. Ordinance on provision of first-aid kits on trains (Official publication YRA, Official Journal 20/91),
89. Ordinance on testing the work competence of executive staff members directly participating in railway traffic (Official publication YRA, Official Journal 20/91),
90. Ordinance on providing rolling stock with fire-extinguishers (Official Journal 3/00, 9/05, 3/06),
91. Ordinance on standardization (Official publication YRA, Official Journal 20/91)

Article 100

- (1) The minister responsible for health care shall pass the regulations referred to in Article 45, paragraph 5 and Article 45, paragraph 5 of this Act no later than within one year from the day of entry into force of this Act.
- (2) Unit the entry into force of the regulations referred to in paragraph 1 of this Article, the following subordinate legislation shall remain in force and apply, unless the provisions contrary to this Act:
 - Ordinance on special medical requirements to be complied with by railway executive staff members directly participating in railway traffic (Act on Transposition of Acts from the Domain of Transport and Communications applied in the Republic of Croatia as state laws (Official Gazette 53/91),
 - Ordinance on manner and procedure for establishing the presence of alcohol in the body of executive staff members directly participating in railway traffic (Official Gazette 98/03).

Article 101

- (1) The Infrastructure manager shall pass, or harmonize with this Act and respective regulations passed by the minister responsible for transport the following general acts:

- referred to in Article 6, paragraph 2 and in Article 61, paragraph 2 no later than within 6 months from entry into force of this Act,
 - referred to in Article 20, paragraph 4 and in Article 37, paragraph 2 no later than within one year from entry into force of this Act,
 - referred to in Article 19, paragraph 3 and in Article 20, paragraph 4 no later than within one year from entry into force of regulation in Article 19, paragraph 2,
 - referred to in Article 28, paragraph 7 and in Article 29, paragraph 2 no later than within one year from entry into force of regulation in Article 28, paragraph 2,
 - referred to in Article 33, paragraph 3 and in Article 37, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 33, paragraph 2,
 - referred to in Article 65, paragraph 4 no later than within one year from entry into force of regulation referred to in Article 65, paragraph 3,
 - referred to in Article 69, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 69, paragraph 1,
 - referred to in Article 71 paragraph 5 no later than within one year from entry into force of regulation referred to in Article 71, paragraph 4,
 - referred to in Article 82, paragraph 2 and in Article 83, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 43, paragraph 2.
- (2) The railway undertaking shall pass, or harmonize with this Act and respective regulations passed by the minister the following general acts:
- referred to in Article 6, paragraph 2 and in Article 62, paragraph 2 no later than within 6 months from entry into force of this Act,
 - referred to in Article 37, paragraph 2 no later than within one year from entry into force of this Act,
 - referred to in Article 28, paragraph 5 and in Article 29, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 28, paragraph 2,
 - referred to in Article 33, paragraph 3 and in Article 34, paragraph 4 no later than within one year from entry into force of regulation referred to in Article 33, paragraph 2,
 - referred to in Article 65, paragraph 4 no later than within one year from entry into force of regulation referred to in Article 65, paragraph 3,
 - referred to in Article 69, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 69 paragraph 1,
 - referred to in Article 71, paragraph 5 no later than within one year from entry into force of regulation referred to in Article 71 paragraph 4,
 - referred to in Article 82, paragraph 2 and in Article 83, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 43, paragraph 2.
- (3) The legal person performing transport for own needs shall pass, or harmonize with this Act and respective regulations passed by the minister responsible for transport the following by-laws:
- referred to in Article 62, paragraph 2 no later than within 6 months from entry into force of this Act,
 - referred to in Article 28, paragraph 5 and referred to in Article 29, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 28, paragraph 2,
 - referred to in Article 65, paragraph 4 no later than within one year from entry into force of regulation referred to in Article 65, paragraph 3,
 - referred to in Article 69, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 69, paragraph 1,
 - referred to in Article 82, paragraph 2 and in Article 83, paragraph 2 no later than within one year from entry into force of regulation referred to in Article 43, paragraph 2.
- (4) The industrial railway shall pass, or harmonize with this Act and respective regulations passed by the minister responsible for transport the following by-laws:

- referred to in Article 77 paragraph 3 and in Article 78 paragraph 2 no later than within one year from entry into force of this Act,
- referred to in Article 29 paragraph 2 no later than within one year from entry into force of regulation referred to in Article 28 paragraph 2.

(5) Until the entry into force of the general acts referred to in paragraphs 1 through 4 of this Article, with the exception of provisions contrary to this Act, the general acts of the infrastructure manager, railway undertaking, legal person which carries out the transport for own needs and industrial railways which are in force on the day of entry into force of this Act shall apply.

Article 102

The infrastructure manager, railway undertaking, legal person performing transport for own needs and industrial railway shall harmonize the documents the passing of which is not regulated by this Act, with the provisions of this Act within two years from entry into force of this Act, or within two years from entry into force of regulations referred to in Article 99, paragraph 1 of this Act.

Article 103

(1) Upon the entry into force of this Act the Decision on classification of main railway lines (Official Gazette 64/93) and the Decision on classification of railway lines of 1st and 2nd order (Official Gazette 64/93, 92/95 and 49/03) shall be revoked.

(2) Until the entry into force of regulations referred to in Article 99 paragraph 1 of this Act, or until the entry into force or harmonization with this Act and respective regulations passed by the minister of the by-laws referred to in Article 98 paragraph 1 and Article 99 of this Act, the provisions in regulations referred to in Article 101, paragraph 1 and Article 102 of this Act, and the provisions of t Article 99, paragraph 2 of this Act, and by-laws referred to in Article 99, paragraph 3, Article 101, paragraph 1 and Article 102 of this Act on the classification of railway lines, shall apply as follows:

- provisions relating to main railway lines shall apply to main (corridor) and connection railway lines of significance for international traffic,
- provisions relating to main auxiliary railway lines shall apply to connection railway lines of significance for international traffic,
- provisions governing railway lines of the 1st order shall apply to railway lines of significance for regional traffic,
- provisions governing railway lines of the 2nd order shall apply to railway lines of significance for local traffic.

Article 104

(1) The harmonization of existent railway lines with provisions of Article 9, paragraphs 2, 3 and 4 of this Act shall be conducted in compliance with the National railway infrastructure program.

(2) The provisions referred to in Article 9 paragraphs 5, 6 and 7, Article 10 paragraph 2, Article 19 paragraph 2, Article 20 paragraph 3, Article 52 paragraph 5, and Article 57 paragraph 4 of this Act, shall continuously be harmonized with respective technical specifications for interoperability.

Article 105

Until the regulations referred to in Article 15, paragraph 2 and Article 17, paragraph 2 of this Act are passed, the infrastructure manager shall determine special requirements referred to in

Article 15, paragraph 3 and Article 17, paragraph 3 of this Act in compliance with applicable regulations referred to in Article 99, paragraph 2 and general acts referred to in Article 99 paragraph 3 of this Act.

Article 106

The obligation of keeping the infrastructure register referred to in Article 20, paragraph 1 and the rolling stock register referred to in Article 27, paragraph 1 of this Act shall begin on the day of entry into force of regulations referred to in Article 20, paragraph 3 or Article 27, paragraph 2 of this Act.

Article 107

Until the regulations referred to in Article 28, paragraph 4 of this Act are passed, rolling stock maintenance can be conducted by infrastructure manager, railway undertaking, legal person performing transport for own needs and other legal persons authorized by Croatian Railways.

Article 108

Until the regulations referred to in Article 44, paragraph 5 of this Act are passed, the instructions and professional training shall be performed by the infrastructure manager, railway undertaking and other legal and natural persons and the examination of vocational ability, issuance of certificates and knowledge testing shall be conducted by the infrastructure manager.

Article 109

Until the regulations referred to in Article 65 paragraph 3 of this Act are passed, the organization of investigation referred to in Article 64 paragraph 2 of this Act shall be conducted by the infrastructure manager.

Article 110

Until the regulations referred to in Article 67, paragraph 4 of this Act are passed, the tasks falling within the scope of activities of the body responsible for railway traffic safety shall be carried out by the Ministry.

Article 111

Until the regulations referred to in Article 69 paragraph 1 of this Act are passed, the infrastructure manager, railway undertaking and person performing transport for own needs shall establish the safety management system in compliance with this Act and relevant regulations referred to in Article 99 paragraph 2 and general acts referred to in Article 99 paragraph 3 of this Act.

Article 112

On the day of entry into force of this Act, the Railway Traffic Safety Act (Official Gazette 77/92 and 26/93) shall cease to have effect.

Article 113

This Act shall enter into force on the eighth day after the day its publication in the Official Gazette.

Class: 341-06/06-01/01
Zagreb, 30 March 2007

THE CROATIAN PARLIAMENT
The President of
the Croatian Parliament
Vladimir Šeks, m.p.

PROVISIONAL TRANSLATION