

Analysis from Bernard Dumas (technical coordinator AFPW, France)

Draft implementing act on fees and charges

In 1.1 of the document ERA explains that it has identified two problems:

- o On the one hand, the hourly rate does not cover all the costs incurred by this authorization activity,
- o On the other hand, a lack of internal resources has the effect of lengthening the time required for delivering vehicle authorisations (and of disrupting the other work of ERA, since the agency often has to borrow resources from other departments), and therefore of incurring very high costs for immobilizing vehicles at the manufacturers' site.

According to the Agency, the change to an hourly rate of €235 and the addition of various fixed costs will solve these two problems: on the one hand, this rate is deemed to be calculated to cover all the costs related to this activity, and on the other hand, it will make it possible to pay external service providers who come in as reinforcements, which presupposes that the current rate of €130 does not allow this. This last point is surprising knowing that it is possible to find HAS consultants, therefore rail specialists, at the rate of 650€/d, that is to say for 7 hours of work/d about 92€/h.

On the calculation of the 235€/h rate.

The impact assessment document contains many tables of figures but does not explain how this rate was calculated. In any case I did not find it.

Table 3.1 on page 13 indicates a total of 42,600 hours of direct work and 11,100 hours of indirect work (support, management, secretarial work, etc.) for 2021, i.e. an indirect/direct ratio of about 26%. Assuming that, given its already relatively high value, the current rate of €130/hr covers at least the entire gross salary + employer's charges of the staff (at 35h/week that makes a gross salary + employer's charges between €19,000 and €20,000 excluding taxes), we could expect an increase in the hourly rate of 26 to 30% but not more. However, the increase presented is 80% and no explanation is given.

On the time required for delivering a vehicle authorisation

The document presents in §3.3 a very interesting table which you can find below:

	<i>Work in hours (based on 2021)</i>	<i>Duration in calendar days (based on 2021)</i>
<i>Vehicle Type Authorisation</i>	<i>141</i>	<i>131</i>
<i>CTT - Freight wagons</i>	<i>4.6</i>	<i>7.0</i>
<i>CTT - Locomotives/Traction Vehicles</i>	<i>5.6</i>	<i>9.2</i>

<i>CTT - Fixed Formations</i>	<i>5.4</i>	<i>8.6</i>
<i>Single Safety Certificates</i>	<i>207</i>	<i>144</i>
<i>ERTMS Trackside Approvals</i>	<i>N/A</i>	<i>N/A</i>

The delivery of a type authorisation takes an average of 141 hours of work carried out over a calendar period of 131 days, which gives an effective work on the file of a little more than one hour per day on average.

The delivery of an authorisation for a wagon conforming to an authorized type (CTT) takes an average of 4.6 hours of work carried out over a calendar period of 7 days, i.e. about 40 minutes of actual work per day on average.

This shows that the work is extremely spread out and therefore that there is not only a problem of lack of resources but also on the conduct of this activity. There is no evidence that increasing the hourly rate will significantly improve the situation. It is explained in §3.1 option 2 that delays will be reduced by 10%. In view of the 80% increase in the hourly rate, one could expect much more.

In conclusion it seems to me that the DGITM should ask the following:

- 1- How was the 235€/h rate calculated?
- 2- Does the current rate of 130€/h cover at least, on average, the gross salary + social charges of the staff assigned to the authorization activity?
- 3- Why is there such a difference between the indirect/direct ratio and the ratio of increase of the hourly rate?
- 4- Explanations for the "swelling" of the duration highlighted by table 3.3

Only once clear explanations on these points are provided, will it be possible to rule on the proposed amendment to Regulation 2018/764 and I sincerely hope that these issues will be addressed in detail at RISC 92.