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If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 92

Adopted 31 January 2012

**Procedures for the Registration of Railway Rolling Stock**

*Issued pursuant to*

*Section 31, Paragraph one, Clause 13 of the Railway Law*

**I. General Provisions**

1. The Regulation prescribes the procedures for the registration of railway rolling stock (hereinafter – the rolling stock).

2. The following shall be subject to registration:

2.1. the rolling stock belonging to natural and legal persons of the Republic of Latvia which runs on track having the width of at least 750 mm;

2.2. the rolling stock belonging to foreign natural and legal persons which runs on track having the width of at least 750 mm, if the rolling stock has been transferred into use in the territory of Latvia on the basis of a contract and is not registered in a foreign country.

3. The State Railway Rolling Stock Register (hereinafter – the State register) shall be provided and maintained by the State Railway Administration.

4. If the rolling stock which runs on track having the width of at least 750 mm is registered in a third country and, on the basis of a contract the term of which exceeds one year, has been transferred into use in the territory of Latvia, the holder of the rolling stock shall submit to the State Railway Administration a copy of the contract or a copy of a document issued in the third country regarding registration of the relevant rolling stock.

5. The owner of the rolling stock shall be responsible for the veracity of the information provided to the State Railway Administration, and also for the conformity with the procedures and time periods specified in this Regulation.

6. The State Railway Administration is entitled to check the veracity of the information provided by the owner of the rolling stock.

7. The carrier and the railway infrastructure manager have an obligation to provide the State Railway Administration with access to the information regarding the owner and the user of the rolling stock belonging to foreign natural or legal persons and crossing the State border, the restrictions on the use of the rolling stock, and also to other data which is important from the point of view of transport safety and is related to the maintenance schedule of the rolling stock.

**II. Filling-in of a Form for the Registration of the Rolling Stock, for Making Changes to the State Register, or for the Withdrawal of the Rolling Stock from the State Register**

8. In order to register the rolling stock, to make changes to the State register (except where the operation of the rolling stock is suspended or renewed), or to withdraw the rolling stock from the State register, the owner or its authorised person shall submit to the State Railway Administration a filled-in form which is specified in Appendix 4 to Commission Decision 2011/107/EU of 10 February 2011 amending Decision 2007/756/EC adopting a common specification of the national vehicle register (hereinafter – the form).

9. In order to register the rolling stock, the form shall be filled in as follows:

9.1. the “New registration” box shall be ticked;

9.2. the number of the rolling stock with which it has been registered for operation in the common 1520 mm track gauge system or which is indicated on the rolling stock if the relevant rolling stock is not registered with such number or also which is indicated in the technical passport of the rolling stock if the number is not indicated on the rolling stock which has not been registered for operation in the joint track system of 1520 mm shall be entered in Sub-paragraph 1.2 of the form. This Paragraph need not be filled in, if a separate form is submitted for the whole set of the rolling stock of the same series;

9.3. the two-digit code “25” of Latvia which is specified in Commission Decision 2006/920/EC of 11 August 2006 concerning the technical specification of interoperability relating to the subsystem Traffic Operation and Management of the trans-European conventional rail system shall be entered in Sub-paragraph 2.1 of the form;

9.4. the name of such authority of the European Union Member State which granted the authorisation to place the relevant rolling stock in operation shall be entered in Sub-paragraph 2.2 of the form;

9.5. the year of manufacture of the relevant rolling stock which is indicated in its technical passport shall be entered in Paragraph 3 of the form;

9.6. Paragraph 4 of the form shall be filled in, if a declaration has been prepared for the rolling stock which has been drawn up in accordance with Annexes II, III or VI of Commission Implementing Regulation (EU) 2019/250 of 12 February 2019 on the templates for ‘EC’ declarations and certificates for railway interoperability constituents and subsystems, on the model of declaration of conformity to an authorised railway vehicle type and on the ‘EC’ verification procedures for subsystems in accordance with Directive (EU) 2016/797 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 201/2011. Paragraph 4 of the form shall be filled in as follows:

9.6.1. the date of preparation of the declaration shall be entered in Sub-paragraph 4.1 of the form;

9.6.2. the identification of the declaration shall be entered in Sub-paragraph 4.2 of the form;

9.6.3. the name of the person who prepared the declaration shall be entered in Sub-paragraph 4.3 of the form;

9.6.4. the registration number of the person who prepared the declaration shall be entered in Sub-paragraph 4.4 of the form;

9.6.5. the name of the street and the number of the house which are indicated in the declaration in information regarding the address of the person who prepared it shall be entered in Sub-paragraph 4.5 of the form;

9.6.6. the name of the city which is indicated in the declaration in information regarding the address of the person who prepared it shall be entered in Sub-paragraph 4.6 of the form;

9.6.7. the name of the country which is indicated in the declaration in information regarding the address of the person who prepared it, a corresponding code of the relevant country which is officially published on the website of the Publications Office of the European Union shall be entered in Sub-paragraph 4.7 of the form;

9.6.8. the postal code which is indicated in the declaration in information regarding the address of the person who prepared it shall be entered in Sub-paragraph 4.8 of the form;

9.7. Paragraph 5 of the form shall be filled in, if data on the type of the rolling stock has been included in the European Register of Authorised Types of Vehicles which is created and maintained by the European Union Agency for Railways. Paragraph 5 of the form shall be filled in by entering the number (alphanumeric code) corresponding to the relevant type of the rolling stock;

9.8. the series or model of the rolling stock which is indicated in the act approved by the State Railway Technical Inspectorate regarding placing of the type (set) of the railway rolling stock in operation or in the act regarding placing of the set (sets) of the railway rolling stock in operation, or in the technical passport of the rolling stock shall be entered in Paragraph 5.a of the form if placing thereof in operation is not necessary;

9.9. Paragraph 6 of the form shall be filled in, if restrictions are indicated in the act approved by the State Railway Technical Inspectorate regarding placing of the type (set) of the railway rolling stock in operation and in the act regarding placing of the set (sets) of the railway rolling stock in operation. Paragraph 6 of the form shall be filled in as follows:

9.9.1. the codes of the relevant restrictions indicated in the abovementioned acts shall be entered in Sub-paragraph 6.1 of the form;

9.9.2. the relevant restrictions indicated in the abovementioned acts shall be entered in Sub-paragraph 6.2 in a non-coded form;

9.10. the name or the given name and surname of the owner of the rolling stock shall be entered in Sub-paragraph 7.1 of the form;

9.11. the registration number or personal identity number (if there is no personal identity number, the date of birth shall be entered) of the owner of the rolling stock shall be entered in Sub-paragraph 7.2 of the form;

9.12. the name of the street and the number of the house shall be entered in Sub-paragraph 7.3 of the form according to the legal address or address of the place of residence of the owner of the rolling stock;

9.13. the name of the city shall be entered in Sub-paragraph 7.4 of the form according to the legal address or address of the place of residence of the owner of the rolling stock;

9.14. the code corresponding to the name of the country (according to the legal address or address of the place of residence of the owner of the rolling stock) which is officially published on the website of the Publications Office of the European Union shall be entered in Sub-paragraph 7.5 of the form;

9.15. the postal code shall be entered in Sub-paragraph 7.6 of the form according to the legal address or address of the place of residence of the owner of the rolling stock;

9.16. the name or given name and surname of the holder of the rolling stock shall be entered in Sub-paragraph 8.1 of the form;

9.17. the registration number or personal identity number (if there is no personal identity number, the date of birth shall be entered) of the holder of the rolling stock shall be entered in Sub-paragraph 8.2 of the form;

9.18. the name of the street and the number of the house shall be entered in Sub-paragraph 8.3 of the form according to the legal address or address of the place of residence of the holder of the rolling stock;

9.19. the name of the city shall be entered in Sub-paragraph 8.4 of the form according to the legal address or address of the place of residence of the holder of the rolling stock;

9.20. the code corresponding to the name of the country (according to the legal address or address of the place of residence of the holder of the rolling stock) which is officially published on the website of the Publications Office of the European Union shall be entered in Sub-paragraph 8.5 of the form;

9.21. the postal code shall be entered in Sub-paragraph 8.6 of the form according to the legal address or address of the place of residence of the holder of the rolling stock;

9.22. Sub-paragraph 8.7 of the form shall be filled in by entering the marking of the holder of the rolling stock, if a submission for the receipt of the marking of the holder of the rolling stock has been submitted to the State Railway Administration which has forwarded it to the European Union Agency for Railways, and the granted marking of the holder of the rolling stock has been published on the website of the European Union Agency for Railways;

9.23. the entity responsible for technical maintenance of the rolling stock (hereinafter – the entity in charge of maintenance) shall be entered in Sub-paragraph 9.1 of the form;

9.24. the registration number of the entity in charge of maintenance shall be entered in Sub-paragraph 9.2 of the form;

9.25. the name of the street and the number of the house shall be entered in Sub-paragraph 9.3 of the form according to the legal address of the entity in charge of maintenance;

9.26. the name of the city shall be entered in Sub-paragraph 9.4 of the form according to the legal address of the entity in charge of maintenance;

9.27. a code corresponding to the name of the country (according to the legal address of the entity in charge of maintenance) which is officially published on the website of the Publications Office of the European Union shall be entered in Sub-paragraph 9.5 of the form;

9.28. the postal code shall be entered in Sub-paragraph 9.6 of the form according to the legal address of the entity in charge of maintenance;

9.29. the e-mail address of the entity in charge of maintenance shall be entered in Sub-paragraph 9.7 of the form;

9.30. the two-digit code which conforms to the European Union Member State in which operation of the rolling stock is authorised and which is specified in Commission Decision 2006/920/EC of 11 August 2006 concerning the technical specification of interoperability relating to the subsystem Traffic Operation and Management of the trans-European conventional rail system shall be entered in Sub-paragraph 11 of the form;

9.31. the given name, surname, and personal identity number (if there is no personal identity number, the date of birth shall be entered) of the owner or the rolling stock or his or her representative, and also the place and date of filling in the form shall be entered in the field “Identification data of the submitter of the registration application”, and the indicated person shall certify the veracity of the provided information in the relevant field with a signature.

[*2 June 2020*]

10. A separate form for the registration of the rolling stock may be filled in and submitted for several units of the rolling stock of the same series, if all entries in the form apply to each unit of the rolling stock of the same series, adding a list of the relevant sets of the rolling stock in which their numbers are indicated.

11. In order to make changes in the State register (except when operation of the rolling stock is suspended or renewed), the form shall be filled in as follows:

11.1. the “Amendments” box shall be ticked;

11.2. the registration number of the rolling stock shall be indicated in the row “Information regarding the vehicle”. This row need not be filled in, if Sub-paragraph 1.1 or 1.2 of the form is filled-in or if a separate form is submitted regarding several sets of the rolling stock;

11.3. Sub-paragraphs 1.1 and 1.2 of the form shall be filled in, if the rolling stock has been registered for operation in the common 1520 mm track gauge system with a new number. In such case a note shall be made before Sub-paragraphs 1.1 and 1.2 of the form and, if a separate form is not submitted for the whole set of the rolling stock, the new number of the rolling stock with which it has been registered for operation in the common 1520 mm track gauge system shall be entered in Sub-paragraph 1.1 of the form and the previous number of the rolling stock shall be entered in Sub-paragraph 1.2 of the form;

11.4. a note shall be made before the Paragraph of the form in which changes to the information regarding the rolling stock are indicated, and changes to the information regarding the rolling stock shall be entered in the relevant Paragraph (Sub-paragraph) of the form, conforming to the requirements specified for filling-in of such Paragraph (Sub-paragraph) of the form in order to register the rolling stock;

11.5. the given name, surname, and personal identity number (if there is no personal identity number, the date of birth shall be entered) of the owner of the rolling stock, his or her representative, holder of the rolling stock who is not the owner thereof and who is registered as such in the State register, or his or her representative and also the place, and date of filling in the form shall be entered in the field “Identification data of the submitter of the registration application”, and the indicated person shall certify the veracity of the provided information in the relevant field with a signature. The details of the document “signature” and “date” shall not be filled in, if the electronic document has been prepared in accordance with the laws and regulations regarding drawing up of electronic documents and it is not necessary to append other documents in paper form thereto.

[*2 June 2020*]

12. A separate form for making amendments to the State register may be filled in and submitted for the whole set of the rolling stock, if all entries in the form apply to each set of the rolling stock, adding a list of the relevant sets of the rolling stock in which their numbers are indicated. If a set of the rolling stock for operation in the common 1520 mm track gauge system has been registered with a new number, the new number and the previous number of the set of the rolling stock shall be indicated.

13. In order to withdraw the rolling stock from the State register, the form shall be filled in as follows:

13.1. the “Withdrawal from the register” box shall be ticked;

13.2. the registration number of the set of the rolling stock shall be indicated in the row “Information regarding the vehicle”. This row need not be filled in, if a separate form is submitted for the whole set of the rolling stock;

13.3. one two-digit code which conforms to the reason for withdrawal of the rolling stock from the State register shall be entered in Sub-paragraph 10.1 of the form:

13.3.1. the code “20”, if the rolling stock has been re-registered in the register of rolling stock of another European Union Member State for continued use on all or part of the European railway network;

13.3.2. the code “31”, if the rolling stock is destined for continued use as a rail vehicle outside the European railway network;

13.3.3. the code “32”, if the rolling stock is destined for the recovery of major interoperable constituents/modules/spares or major rebuilding;

13.3.4. the code “33”, if the rolling stock is destined for scrapping and disposal of materials (including major spares) for recycling;

13.3.5. the code “35”, if the rolling stock is destined to be historic preserved rolling stock for operation on a segregated network, or for static display, outside the European railway network;

13.4. the date of termination of operation of the rolling stock shall be entered in Sub-paragraph 10.2 of the form;

13.5. the given name, surname, and personal identity number (if there is no personal identity number, the date of birth shall be entered) of the owner of the rolling stock, his or her representative, holder of the rolling stock who is not the owner thereof and who is registered as such in the State register, or his or her representative, and also the place and date of filling in the form shall be entered in the field “Identification data of the submitter of the registration application”, and the indicated person shall certify the veracity of the provided information in the relevant field with a signature. The details of the document “signature” and “date” shall not be filled in, if the electronic document has been prepared in accordance with the laws and regulations regarding drawing up of electronic documents and it is not necessary to append other documents in paper form thereto.

[*2 June 2020*]

14. A separate form for the withdrawal of the rolling stock from the State register may be filled in and submitted for the whole set of the rolling stock, if all entries in the form apply to each set of the rolling stock, adding a list of the relevant sets of the rolling stock in which their numbers are indicated.

**III. Registration of the Rolling Stock, Making of Changes in the State Register, and Withdrawal from the State Register**

15. The following shall be appended to the form for the registration of the rolling stock:

15.1. documents certifying the ownership rights of the rolling stock or their derivatives;

15.2. the authorisation of the owner – natural person – of the rolling stock for the registration of the relevant rolling stock, if the form for the registration of the rolling stock is submitted by an authorised person;

15.3. a power of attorney issued by the owner – legal person – of the rolling stock and certified by the signature of the responsible person for the registration of the relevant rolling stock, if the form for the registration of the rolling stock is submitted by an authorised person;

15.4. a copy of the document certifying the status, registration number of the legal person and the official who is entitled to represent the legal person, if the legal person is registered in a foreign country;

15.5. a copy of the contract, if, on the basis of the contract, the rolling stock has been transferred into holding to a person who is not the owner of the rolling stock;

15.6. a copy of the contract, if, on the basis of the contract, a person who is not the owner of the rolling stock has been specified as an entity in charge of maintenance;

15.7. the information specified in Commission Decision 2006/920/EC of 11 August 2006 concerning the technical specification of interoperability relating to the subsystem Traffic Operation and Management of the trans-European conventional rail system, regarding the type and technical characterisation of the rolling stock to be used for the creation of an individual 12-digit registration number granted to the rolling stock, if it has not been registered for operation in the common 1520 mm track gauge system.

16. Upon entering the rolling stock in the State register, an individual twelve-digit registration number shall be granted thereto, if at the moment of making the entry the rolling stock is not registered for operation in the common 1520 mm track gauge system, or the rolling stock shall be registered with an individual eight-digit registration number with which it has been registered in the common 1520 mm track gauge system at the moment of making the entry.

16.1 The twelve-number registration number shall be assigned to the rolling stock only once unless otherwise provided for in the directly applicable European Union legislation in relation to the national vehicle register of the European Union Member States.

[*2 June 2020*]

17. The State Railway Administration shall take a decision to suspend the registration of the rolling stock, determining a time period for the elimination of deficiencies (it may not be less than a month), if the form for the registration of the rolling stock has not been filled-in according to the requirements referred to in Paragraphs 9 and 10 of this Regulation or if the relevant documents or information referred to in Paragraph 15 of this Regulation have not been submitted.

18. The State Railway Administration shall take the decision to refuse to register the rolling stock in the following cases:

18.1. the non-conformities with the requirements of laws and regulations indicated in the decision to suspend the registration of the rolling stock have not been eliminated within the specified period of time;

18.2. the submitted documents do not certify the ownership rights of the submitter of the form to the relevant set of the rolling stock, the person indicated in the form – as the holder of the rolling stock, or the person indicated in the form – as the entity in charge of maintenance;

18.3. the submitted information is not subject to registration in the State register.

19. If the owner of the rolling stock has intended to maintain the registered rolling stock the operation of which has not been prohibited by the State Railway Technical Inspectorate in working order as a passive or strategical reserve or takes a decision to suspend its operation due to another reason, the owner shall submit a submission to the State Railway Administration in which the registration number of the relevant rolling stock and the reason for suspending the operation thereof are indicated. The State Railway Administration shall make an entry in the State register on the suspension of operation of the rolling stock.

20. If the owner of the rolling stock takes the decision to renew the operation of such registered rolling stock on the suspension of operation of which an entry has been made in the State register upon a request of the owner, the owner of the rolling stock shall submit a submission to the State Railway Administration for the renewal of the operation of the rolling stock, indicating the registration number thereof. The State Railway Administration shall revoke the entry in the State register on the suspension of operation of the rolling stock.

21. If the State Railway Technical Inspectorate prohibits the operation of the registered rolling stock on the suspension of operation of which no entry has been made in the State register, it shall inform the State Railway Administration of its decision and the State Railway Administration shall make an entry in the State register on the suspension of the operation of the rolling stock.

22. If the State Railway Technical Inspectorate revokes the prohibition of the operation of such registered rolling stock on the suspension of operation of which an entry has been made in the State register according to the information provided thereby, the State Railway Technical Inspectorate shall inform the State Railway Administration of its decision and the State Railway Administration shall revoke the entry in the State register on the suspension of the operation of the rolling stock.

22.1 If the State register is not linked with national vehicle registers of other European Union Member States, the European Union Agency for Railways shall update the State register with the relevant data by which changes are made in the national vehicle register of another European Union Member State.

[*2 June 2020*]

23. The owner of the rolling stock, a person authorised by him or her or the holder of rolling stock who is registered with the State register and who is not the owner of the rolling stock shall immediately, but not later than within a month after the information entered in the State register has changed, submit to the State Railway Administration a form or submission for making changes in the State register, including for the termination of the operation of the rolling stock due to its dismantling or another reason.

[*2 June 2020*]

24. The following shall be appended to the form or submission for making changes in the State register or to the form for the withdrawal of the rolling stock from the State register:

24.1. documents certifying the circumstances which may be the grounds for making changes in the State register or for the withdrawal of the rolling stock from the State register (except for the case if operation of the rolling stock is being suspended or renewed);

24.2. authorisation of the owner of the rolling stock – natural person – to the relevant person or permission to the holder of the rolling stock who is registered in the State register and who is not the owner of the rolling stock to make changes in the State register or withdraw the rolling stock from the State register if the form for making changes in the State register or for the withdrawal of the rolling stock from the State register is submitted by an authorised person or holder of the rolling stock who is registered in the State register and who is not the owner of the rolling stock;

24.3. authorisation issued by the owner of the rolling stock – legal person – and certified with the signature of the responsible person to the relevant person or permission to the holder of the rolling stock who is registered in the State register and who is not the owner of the rolling stock to make changes in the State register or withdraw the rolling stock from the State register if the form for making changes in the State register or for the withdrawal of the rolling stock from the State register is submitted by an authorised person or holder of the rolling stock who is registered in the State register and who is not the owner of the rolling stock;

24.4. a copy of the document certifying the status, registration number of the legal person and the official who is entitled to represent the legal person, if the legal person is registered in a foreign country.

[*2 June 2020*]

25. The State Railway Administration shall take the decision to suspend making changes in the State register or the decision to suspend the withdrawal of the rolling stock from the State register, determining a time period for the elimination of deficiencies (it may not be less than a month), if the form for making changes in the State register or the withdrawal of the rolling stock from the State register has not been filled-in according to the requirements referred to in Paragraphs 11 and 12 or Paragraphs 13 and 14 of this Regulation or if the relevant documents referred to in Paragraph 24 of this Regulation have not been submitted.

26. The State Railway Administration shall take the decision to refuse to make changes in the State register or the decision to refuse to withdraw the rolling stock from the State register in the following cases:

26.1. the non-conformities with the requirements of laws and regulations indicated in the decision referred to in Paragraph 25 of this Regulation have not been eliminated within the specified period of time;

26.2. the submitted documents do not certify that such circumstances exist which may be the grounds for making changes in the State register;

26.3. the submitted information is not subject to registration in the State register.

27. The decision to register the rolling stock, to suspend the registration, or to refuse to register the rolling stock, to make changes in the State register, to suspend making of such changes, or to refuse to make changes in the State register, to withdraw the rolling stock from the State register, to suspend the withdrawal, or to refuse to withdraw the rolling stock from the State register may be appealed to a court in accordance with the procedures laid down in the Administrative Procedure Law.

**IV. Closing Provisions**

28. Cabinet Regulation No. 75 of 24 January 2006, Procedures for the Registration of the Railway Rolling Stock (*Latvijas Vēstnesis*, 2006, No. 22), is repealed.

29. The rolling stock which has been registered until the day of coming into force of this Regulation need not be re-registered.

30. If the owner of the rolling stock submits a form to make changes in the State register regarding such rolling stock which has been registered until the day of coming into force of this Regulation and which has not been granted an individual twelve-digit registration number, or which has not been registered with an individual eight-digit registration number, the State Railway Administration shall re-register such rolling stock with an individual twelve-digit registration number or with such eight-digit registration number with which the rolling stock has been registered for operation in the common 1520 mm track gauge system.

31. In relation to the rolling stock which has been registered until the day of coming into force of this Regulation, the owner of the rolling stock shall, by 1 July 2012, submit information to the State Railway Administration regarding its entity in charge of maintenance, indicating the name, registration number, legal address, e-mail address of the abovementioned entity, and also the registration number of the rolling stock.

**Informative Reference to the European Union Directive**

[*2 June 2020*]

This Regulation includes the legal norms arising from Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union.

Acting for the Prime Minister – the Ministry of Welfare I. Viņķele