

Cableway installations

2014/0107(COD) - 25/03/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Antonio LÓPEZ-ISTÚRIZ WHITE (EPP, ES) on the proposal for a regulation of the European Parliament and of the Council on cableway installations.

The committee recommended that the European Parliament's position at first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Purpose and scope of the proposal: this Regulation applies to new cableway installations and covers **subsystems and safety components** which are new to the Union market when they are placed on the market; that is to say they are either new subsystem and safety components made by a manufacturer established in the Union or subsystems and safety components, whether new or second-hand, imported from a third country.

Cableway installations are mainly lift systems, such as funicular railways, aerial ropeways, cable cars, gondolas, chairlifts drag lifts and other installations for tourism or sport purpose.

The provisions of this Regulation are based on the **precautionary principle**. The Regulation shall not apply to:

- cableway installations of historical construction, including cable-operated tramways, funicular railways and cliff railways, as identified by national law, including subsystems and safety components specifically designed for them;
- installations intended for agricultural or forestry purposes;
- cableway installations for the service of mountain shelters and huts intended only for the transport of goods and specifically authorised persons;
- on-site or mobile equipment exclusively designed for leisure and amusement purposes and not as a means for transporting persons.

Entry into service of cableway installations: the subsystems and safety components should be incorporated into cableway installations only if they enable the construction of cableway installations which satisfy the requirements of this Regulation and are not liable to endanger the health or safety of persons or property when properly incorporated, maintained and operated in accordance with their intended purpose.

Safety analysis: the **person responsible** for the cableway installation, determined by a Member State in accordance with national law, shall submit the safety report.

The safety analysis required for every cableway installation shall take into account every mode of operation envisaged taking into account the local surroundings and the most adverse situations in order to ensure satisfactory safety conditions. The safety analysis shall also cover the safety devices and their effect on the cableway installation and related subsystems that they bring into action.

Consistency with the New Legislative Framework (NLF): Members supported the alignment of the provisions to the goods package adopted in 2008 and in particular to the [Decision No 768/2008/EC](#) on a common framework for the marketing of products. The framework set out by the NLF consists of provisions which are commonly used in EU product legislation.

Following the adoption of nine proposals which together form the "alignment package", the report proposed amendments seek **to improve the consistency of the text with the NLF** in particular as regards the obligations of economic operators, the EU declaration of conformity, rules on affixing the CE marking requirements, the information obligation incumbent on notifying authorities, the presumption of conformity of the notified bodies and the information obligation on notified bodies.

Market surveillance: Members proposed the addition of a new Chapter IV on the Union market surveillance and control of subsystems and safety components entering the Union market and the Union safeguard procedure.

In order to increase transparency and to reduce processing time, it is necessary to improve the existing safeguard procedure, with a view to making it more efficient and drawing on the expertise available in the Member States. The existing system should:

- be supplemented by a procedure under which interested parties are informed of measures intended to be taken with regard to subsystems and safety components presenting a risk to the health or safety of persons;
- allow market surveillance authorities, in cooperation with the relevant economic operators, to act at an earlier stage in respect of such subsystems and safety components.

When matters relating to this Regulation, other than its implementation or infringements, are being examined, the European Parliament should in line with existing practice receive full information and documentation and an invitation to attend such meetings.