

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 (recast) (Text with EEA relevance)

CHAPTER V

PLACING ON THE MARKET AND PLACING IN SERVICE

Article 23

Checks before the use of authorised vehicles

1 Before a railway undertaking uses a vehicle in the area of use specified in its authorisation for placing on the market, it shall check:

- a that the vehicle has been authorised for placing on the market in accordance with Article 21 and is duly registered;
- b that the vehicle is compatible with the route on the basis of the infrastructure register, the relevant TSIs or any relevant information to be provided by the infrastructure manager free of charge and within a reasonable period of time, where such a register does not exist or is incomplete; and
- c that the vehicle is properly integrated in the composition of the train where it is intended to operate, taking into account the safety management system set out in Article 9 of Directive (EU) 2016/798 and the TSI on operation and traffic management.

2 For the purposes of paragraph 1, the railway undertaking may carry out tests in cooperation with the infrastructure manager.

The infrastructure manager, in consultation with the applicant, shall make every effort to ensure that any tests take place within three months of receipt of the applicant's request.