

Message 001

Communication from the Commission - TRIS/(2025) 1732

Directive (EU) 2015/1535

Notification: 2025/0346/DE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahtuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20251732.EN

1. MSG 001 IND 2025 0346 DE EN 02-07-2025 DE NOTIF

2. Germany

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4. 2025/0346/DE - T00T - TRANSPORT

5. Fourth Bavarian Modernisation Act

6. Railways and cable cars not owned by the Federal Government (the latter including their subsystems and safety components)

7.

8. Article 62 of the Fourth Bavarian Modernisation Act provides for an amendment to the Bavarian Railways and Cableways Act (BayESG). Article 29 of the BayESG contains the authorisation to issue ordinances, in paragraph 2, point 13, on the provisions on the construction and operating rules required by the state of the art for the technical design of cableways and the management of their operation. The words 'required based on the current state of the art' are replaced by the words 'necessary for risk-appropriate operational safety'.

9. The previous reference to the 'state of the art' effectively led to an external definition of technical requirements by private standardisation bodies (e.g. DIN, VDE), without State control over their proportionality or expediency. With the amendment, this reference is replaced by the standard of 'risk-appropriate operational safety'. This makes it clear that the relevant consideration is not one of technical maximum standards but of the actual safety-relevant requirements for the respective cableway. Risk-appropriate operational safety means that technical measures must be geared to the specific risk potential and be appropriate, necessary and proportionate to ensure safe operation. The change reduces the coupling with continuously tightened external standards and thus creates more flexibility while taking into account the actually required safety requirements.

10. Reference to the basic texts: Basic texts have been sent within the framework of a previous notification:
2018/0037/D
2009/0593/D

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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