

Draft name Regulation of the Minister for Infrastructure on the technical conditions to be met by railway structures and their location Lead ministry and cooperating ministries Ministry of Infrastructure – lead Ministry of Finance and Economy – partner Person responsible for the draft: Minister, Secretary of State or Undersecretary of State Piotr Malepszak – Under-Secretary of State at the Ministry of Infrastructure Contact details for the draft supervisor Maciej Sofiński – Head of Unit, Railways Department at the Ministry of Infrastructure, tel. (22) 630-14-98; e-mail: maciej.sofinski@mi.gov.pl	IssuedDate 12 May 2026 Source: Article 7(2)(2) of the Construction Law Act of 7 July 1994 (Journal of Laws [Dziennik Ustaw] 2026, item 524, as amended) Number on the list of legislative works of the Minister for Infrastructure: 29
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REGULATORY IMPACT ASSESSMENT

1. What issue is being addressed?

The draft Regulation implements the authorisation set out in Article 7(2)(2) of the Construction Law Act of 7 July 1994 -.

The draft Regulation, in accordance with the statutory mandate, lays down the technical conditions to be met by railway structures and their location, taking into account the guideline under Article 7(4) of the Construction Law Act relating to ensuring accessibility to persons with special needs, set out in the Act of 19 July 2019 on ensuring accessibility to persons with special needs (Journal of Laws of 2024, item 1411).

With regard to railway structures, the draft proposes such means as the introduction of construction regulations, in particular the setting of standards and procedures for the marking of danger zones, to ensure an appropriate level of safety for persons with disabilities and persons with reduced mobility within the meaning of Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ EU L 356, 12.12.2014, p. 110, as amended) and persons with special needs within the meaning of Article 2(3) of the Act of 19 July 2019 on ensuring accessibility for persons with special needs.

2. Recommended solution, including planned intervention tools and expected impact

Issuing a new regulation is recommended to specify the technical conditions to be met by railway structures and their location.

The essence of the provisions proposed in the draft Regulation lies in incorporating the new wording of Article 7(4) of the Construction Law Act of 7 July 1994, pursuant to which, when specifying technical conditions, the requirements referred to in Article 5(1-2b) of that Act must be taken into account, as well as the needs of persons with special needs referred to in the Act of 19 July 2019 on ensuring accessibility for persons with special needs.

In addition, in view of numerous doubts concerning the interpretation of the Regulation of the Minister of Transport and Maritime Economy of 10 September 1998 on the technical conditions to be met by railway structures and their location (Journal of Laws, item 987, as amended), conclusions, requests, proposals and concerns submitted to the Ministry of Infrastructure by rail infrastructure operators, rail undertakings, administrative bodies, organisations and other entities have also been taken into account when drafting new regulations.

Also in view of the fact that the Regulation of the Minister for Transport and the Maritime Economy of 10 September 1998 on the technical conditions to be met by railway structures and their location has been in force for more than 20 years and that changes have taken place during that period with regard to the technical solutions applied to railway structures and their location, the draft Regulation will be adapted to the current state of the art in this field.

The objective of the draft may only be achieved by the adoption of this Regulation.

3. How has this problem been solved in other countries, in particular in OECD/EU Member States?

Not applicable.

4. Entities affected by the draft

Group	Size	Data source	Impact
Railway infrastructure operators (entities with valid safety certificates)	1034 (as of 10.07.2025)	Office for Rail Transport	Amendment of certain provisions laying down the technical conditions of railway structures.
Railway operators	156 (as of 11.07.2025)	Office for Rail Transport	Increase of the maximum permissible speed of trains on the main lines.

5. Information on the scope, duration, and summary of consultation results

In accordance with Article 5 of the Act of 7 July 2005 on lobbying activities in the process of lawmaking (Journal of Laws of 2025, item 677, as amended) and § 52 of the Cabinet Resolution No. 190 of 29 October 2013 — Rules of Procedure of the Council of Ministers (Polish Gazette [Monitor Polski] of 2024, item 404), the Draft was made available in the Public Information Bulletin on the website of the Government Legislation Centre in the Government Legislative Process tab.

The draft Regulation was submitted for consultation to the following entities:

- 1) PKP S.A.;
- 2) PKP Polskie Linie Kolejowe S.A.
- 3) PKP Energetyka S.A.;
- 4) PKP Intercity S.A.;
- 5) PKP Cargo S.A.;
- 6) PKP Szybka Kolej Miejska w Trójmieście sp. z o.o.;
- 7) PKP Linia Hutnicza Szerokotorowa sp. z o.o.;
- 8) POLREGIO sp. z o.o.;
- 9) Arriva RP sp. z o.o.;
- 10) Szybka Kolej Miejska sp. z o.o.;
- 11) Koleje Mazowieckie – KM sp. z o.o.;
- 12) Koleje Wielkopolskie sp. z o.o.;
- 13) Koleje Małopolskie sp. z o.o.;
- 14) Koleje Dolnośląskie S.A.;
- 15) Koleje Śląskie sp. z o.o.;
- 16) Łódzka Kolej Aglomeracyjna sp. z o.o.;
- 17) Warszawska Kolej Dojazdowa sp. z o.o.;
- 18) Pomorska Kolej Metropolitalna S.A.;
- 19) CARGOTOR sp. z o.o.;
- 20) Instytut Kolejnictwa [Railway Research Institute];
- 21) Forum Kolejowe [Railway Forum] — Railway Business Forum;
- 22) Związek Niezależnych Przewoźników Kolejowych [Union of Independent Rail Operators];
- 23) Związek Pracodawców Kolejowych [Association of Railroad Employers];
- 24) Izba Gospodarcza Transportu Lądowego [Land Transport Chamber of Commerce];
- 25) Związek Zawodowy Maszynistów Kolejowych w Polsce [Trade Union of Railway Train Drivers in Poland];
- 26) Związek Zawodowy Dyżurnych Ruchu PKP [Trade Union of Polish State Railways Traffic Dispatchers];
- 27) Sekcja Krajowa Kolejarzy NSZZ „Solidarność” [‘Solidarity’ Trade Union — Railway Employees Section];
- 28) Federacja Związków Zawodowych Kolejarzy [Federation of Railway Employees Trade Unions];
- 29) Krajowy Sekretariat Kolejarzy NSZZ „Solidarność 80” [National Secretariat of Railway Employees of the ‘Solidarność 80’ Trade Union];
- 30) Związek Samorządowych Przewoźników Kolejowych [Union of Local Government Railway Carriers];
- 31) Ogólnopolskie Porozumienie Związków Zawodowych [National Alliance of Trade Unions];

- 32) Związek Przedsiębiorców i Pracodawców [Union of Entrepreneurs and Employers];
 - 33) Konfederacja Lewiatan ['Lewiatan' Confederation];
 - 34) Fundacja Pro Kolej ['Pro Kolej' Foundation];
 - 35) Klaster „Luxtorpeda 2.0” ['Klaster Luxtorpeda 2.0' Union],
 - 36) Zespół Doradców Gospodarczych TOR sp. z o. o.;
 - 37) Stowarzyszenie Ekspertów i Menedżerów Transportu Szynowego [Association of Rail Transport Experts and Managers];
 - 38) Centralny Port Komunikacyjny Sp. z o.o.;
 - 39) Office for Rail Transport (Urząd Transportu Kolejowego).
- The consultation lasted 14 days. The results of the consultation were discussed in the consultation report.

6. Impact on the public finance sector

(fixed prices for (year))	Impact over 10 years from implementing the amendments (PLN million)
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[illegible]

Sources of financing	The entry into force of the draft Regulation will not affect the public finance sector, including the state budget, and will not result in an increase in the expenditure limit in part 39 of the State budget.
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Additional information, including the identification of data sources and assumptions made in the calculation	
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7. Impact on the competitiveness of the economy and entrepreneurship, including the functioning of enterprises and impact on families, citizens and households

		Impact						
Time in years since entry into force of the amendments		0	1	2	3	5	10	Total (0–10)
In monetary terms (PLN million, fixed prices for [year])	large enterprises							
	micro-, small- and medium-sized enterprises							
	families, citizens and households							
	(add/remove)							
In non-monetary	large enterprises	The effect of the Regulation will be an improvement of the competitiveness of passenger and freight rail services in relation to						

terms		road and air transport and an improvement of the legal environment of railway infrastructure operators by clarifying and updating other provisions governing the technical conditions to be met by railway structures.
	Micro, small, and medium-sized enterprises (SMEs)	The solutions contained in the draft will not have a direct impact on the activity of micro-, small- or medium-sized enterprises.
	Families, citizens and households	Apart from increasing the attractiveness of rail transport, the proposed changes will not have a direct impact on family, citizens or households.
	(add/remove)	
Unmeasurable	(add/remove)	
	(add/remove)	
Additional information, including the identification of data sources and assumptions made in the calculation	In addition to making railway transport more attractive, the draft regulation on railway infrastructure – including through the introduction of construction regulations, and in particular the establishment of standards and procedures for the marking of danger zones – ensures that the safety of people with disabilities, people with reduced mobility, and people with special needs is properly safeguarded. The draft has no effect on the economic or social position of families, persons with disabilities or the elderly.	
8. Change in the regulatory burdens (including disclosure obligations) resulting from the draft		
☒ not applicable		
Burdens are placed outside those strictly required by the EU (see the inverted compatibility table for details).	☐ yes ☐ no ☒ not applicable	
☐ reduction in the number of documents ☐ reduction in the number of procedures ☐ shortening of the time to settle the matter ☐ other:	☐ increase in the number of documents ☐ increase in the number of procedures ☐ extension of the time to settle the matter ☐ other:	
The introduced burdens are suitable for digitisation.	☐ yes ☐ no ☐ not applicable	
Comment: The entry into force of the draft Regulation will not change the regulatory burden.		
9. Impact on the labour market		
The draft will not have a direct impact on the labour market.		
10. Impact on other aspects		
☐ natural environment ☐ regional standing and development ☐ ordinary, administrative or military courts	☐ demographics ☐ state property ☐ other:	☐ computerisation ☐ health
Discussion of the impact	The draft will not affect the matters referred to in point 10.	

11. Planned implementation of the provisions of the Act
Implementation will take place on the date of entry into force of the Regulation.
12. How and when will the impact of the draft be assessed, and what measures will be applied?
The drafter has not specified the metrics. No evaluation of the effects of the draft is foreseen.
13. Annexes (important source documents, research, analyses, etc.)
None.