



OTIF/RID/CE/GTP/2017/6

19 July 2017

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RID: 8th Session of the RID Committee of Experts' standing working group
(Utrecht, 20 to 24 November 2017)

Subject: Conclusions of the RID/ATMF working group

Note by the Secretariat

The RID-ATMF working group met four times (3 and 4 February 2016, 9 and 10 June 2016, 18 and 19 October 2016 and 8 and 9 February 2017) and during its sessions came to the conclusions as set out in this document.

1. SUMMARY OF OBJECTIVES AND COMPETENCES

The working group recalls that:

At the level of COTIF:

RID	CTE
<p>RID sets out provisions for the safe, secure and efficient transport of dangerous goods by rail and ensures that RID consignments are accepted between rail contracting parties and across the modes of transport with which RID is harmonised. To this end, the RID Committee adapts, for the COTIF region, the harmonised provisions established by the UNECE/OTIF Joint Meeting for road, rail and inland waterways for the UNECE region in international traffic.</p> <p>Most structural requirements regarding tank wagons concern the tanks; however additional protection at the level of the vehicle is</p>	<p>The general railway legislation, i.e. ATMF/APTU of COTIF, sets out rules for the approval and use of rail vehicles in international traffic.</p> <p>The technical provisions for rail vehicles and their use are set out in UTPs, which are decided by the Committee of Technical Experts (CTE).</p> <p>It is necessary that these provisions are consistent and assessable and that, where possible, they do not prescribe exclusive technical solutions, so as to allow innovation.</p>

<p>imposed by RID for the safe transport of certain particularly dangerous substances in order to protect the tank.</p>	<p>In practice, most of the UTP provisions decided by CTE are 'transpositions' of requirements set out for EU railways in TSIs.</p>
<p>In order to meet the objectives of RID, the RID Committee of Experts needs the competence to take decisions, for specific dangerous goods loads, on additional protection by imposing measures which concern vehicles carrying these loads.</p>	<p>In order to meet the objectives of the general railway legislation, the OTIF Committee of Technical Experts (CTE) has the competence to decide on all rules applicable to the admission of vehicles to international traffic.</p> <p>These technical provisions do not cover the design and admission of tanks.</p> <p>As a matter of working practice and to avoid parallel discussions, technical provisions are first developed in the EU (in the form of TSIs) and are subsequently transposed into COTIF (in the form of UTPs).</p> <p>OTIF works together with DG MOVE and the European Union Agency for Railways (hereinafter referred to as 'the Agency' or 'ERA') with the objective of ensuring that EU vehicle provisions (in TSIs) are suitable for transposition into COTIF provisions (in UTPs). By working together closely at the early stages of legal drafting in the EU, discrepancies between EU provisions and COTIF provisions concerning vehicles are avoided and the CTE does not have to re-discuss the detailed technical provisions.</p> <p>This means in practice that the CTE has two main work packages:</p> <ol style="list-style-type: none"> 1. Coordination between non-EU Member States on the one hand and DG MOVE and the Agency on the other hand, in order to ensure that EU provisions are drafted in such a way that they can easily be transposed into COTIF. 2. Transposing the TSIs into UTPs, where possible without changing the technical provisions.
<p>The RID Committee of Experts on the one hand and the CTE on the other need to cooperate so as to ensure that the objectives of both domains of law continue to be met. Currently, there is no formal coordination mechanism between the RID Committee and CTE.</p>	

At the level of EU legislation:

EC Inland TDG Committee (EC TDG)	Railway Interoperability and Safety Committee (RISC)
<p>EC TDG Committee is the Committee established by Article 9 of Directive 2008/68/EC (continuation of former Directives 94/55/EC and 96/49/EC).</p> <p>In particular, the EC TDG Committee contributes to the process of implementation of the legislation applicable to the transport of dangerous goods for the three different modes of land transport within the EU, both for domestic transport and between EU MSs.</p> <p>The legislation is developed taking into account high level principles applicable to all EU legislation, as required in the Treaty on the Functioning of the European Union (TFEU).</p>	<p>RISC is the Committee established by Article 21 of Directive 96/48/EC.</p> <p>In particular, RISC contributes to the process of implementation of the legislation applicable to EU railways. It includes, for example, the Railway Safety Directive, the Interoperability Directive and the Train Driver Directive, as well as the related secondary legislation (CSMs, TSIs...). This legislation is applicable for domestic traffic and transport between EU MSs.</p> <p>The legislation is developed taking into account high level principles applicable to all EU legislation, as required in the Treaty on the Functioning of the European Union (TFEU).</p> <p>The high level principles are related to the free movement of goods and the need for efficient EU transport policy. These principles are notably derived in essential requirements concerning safety and interoperability within specific Directives.</p>
<p>For EU dangerous goods transport by rail, the amendments to RID are transposed according to the procedure described in Article 8 and Article 9§3 of Directive 2008/68/EC. It takes the form of an annex (RID annex) to the Directive on the Inland Transport of Dangerous Goods.</p> <p>In order to meet the objectives concerning the TFEU a procedure is established to check the amendments to RID, ADR and ADN before the end of the notification procedure, which enables the EU MSs to influence the results. Only if a Council decision confirms the amendments is the procedure described in the preceding paragraph possible.</p>	<p>In order to meet its objectives, the RISC Committee provides its opinion on draft legislative acts submitted by the European Commission. As technical support to the European Commission, the majority of the texts submitted to RISC are prepared within working parties organised by the Agency.</p> <p>In order to meet its objectives, RISC needs to ensure that general EU legislation applicable to railways is not only applicable to passenger and freight services but also to TDG services.</p>
<p>The EC TDG Committee on the one hand and the RISC on the other hand need to cooperate so as to ensure that the objectives of both branches of the law continue to be met and that relevant EU and COTIF legislation remains compatible. This coordination is ensured by the internal functioning of the European Commission services and the Rules of Procedures applicable to all EC Committees.</p> <p>The Agency's activities are defined in Regulation (EU) 2016/796 and include technical assistance to the European Commission services.</p>	

In summary the RID/ATMF working group recognises that the overall coordination process between TDG legislation and general railway legislation is complex and involves different bodies.

It is also recognised that there is a need for better coordination of the process of developing the two sets of law – TDG and general railway law – starting with a certain number of topics (see list of proposed items in annexes 1 and 2) with greater or lesser priority.

Among these topics, the working group agreed that it was necessary to discuss the vehicle aspects in both RID and the TSIs/UTPs as a priority. With regard to vehicle requirements, for example, the group was of the view that an improved coordination process should enable the 'protective aims' of vehicle-related requirements to be maintained in RID, either where they were at the moment or to move them to a separate part, whereas technical specifications should be formulated in TSIs/UTPs. In this context, it was also considered that when implementing an improved coordination process, the technical requirements already existing in RID should not be removed until they are available at TSI/UTP level. Cross-references should ensure consistency and resolve possible discrepancies in terms of the scope. The technical requirements should be so formulated that compliance with the requirements could be checked by a Notified Body/Assessing entity.

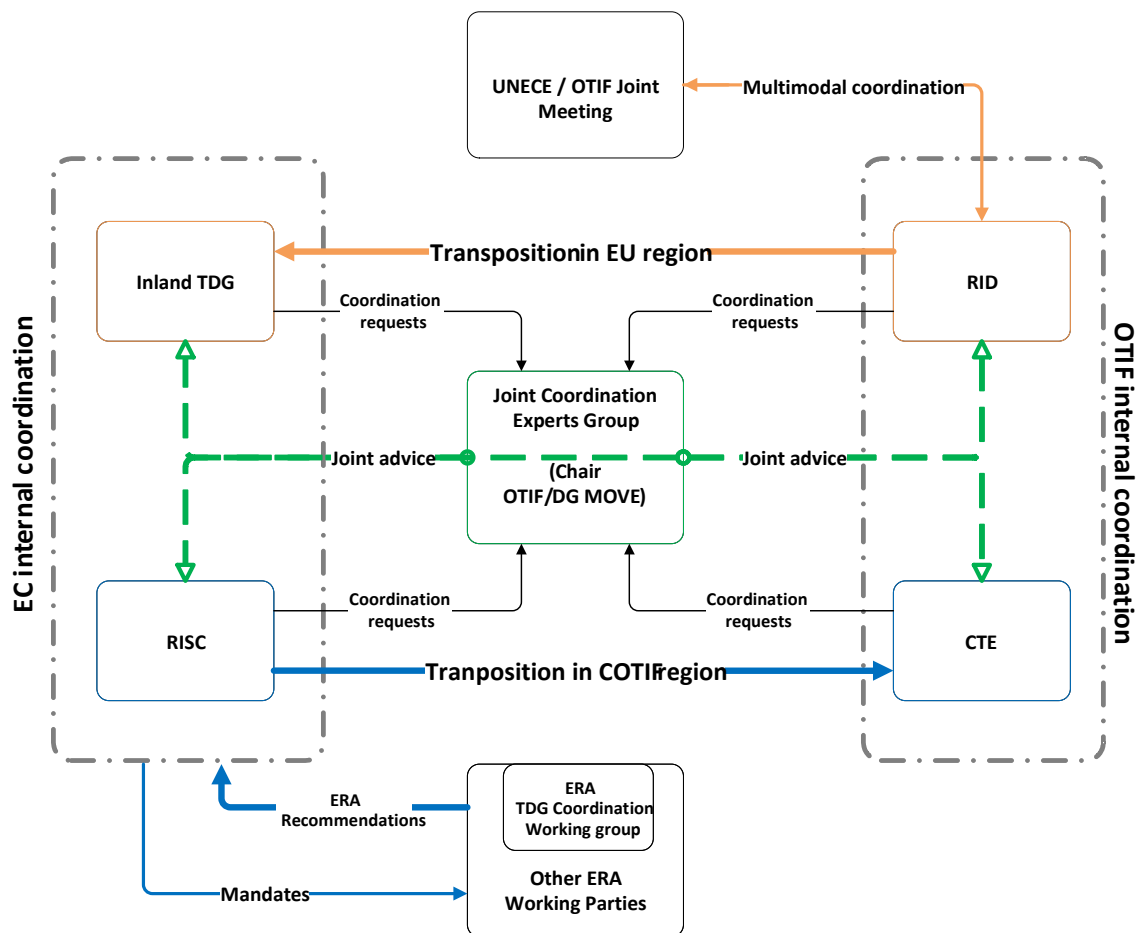
It was concluded that the coordination process should be facilitated by a group of experts involving both RID and general railway legislation experts. This is why, in order to implement the processes described in this report, the RID-ATMF working group recommends setting up a 'Joint Coordinating Group of Experts'.

2. A PROCESS FOR IMPROVING EXISTING COORDINATION

Considering the general conclusions of the RID/ATMF working group analysis, the general coordination process can be represented by the diagram below.

In addition to the coordination concepts presented in section 1, the RID/ATMF working group also considered that any additional coordination process between the RID Committee, CTE, EC TDG Committee and RISC (hereinafter referred to as "THE COMMITTEES") should, as far as possible, have no impact on the existing legal decision-making process of each Committee. This is also applicable to the Agency, whose activities are governed by Regulation (EU) 2016/796, and potential adaptation of its internal organisation is not covered in this document.

However, in order to be applicable, the improved coordination process should be formally identified by THE COMMITTEES, and by the Agency, for example in their rules of procedure.



Proposed process with establishment of a 'Joint Coordinating Group of Experts' (JCGE)

While it was recognised that improved coordination should take place rapidly on the vehicle-related topics (such as, for example, those reported in annex 1) it will also be necessary to take into consideration other topics (such as, for example, those reported in annex 2) in order to establish effective improvement.

Future topics that would arise from coordination requests by the Committees would be treated similarly.

An example of the detailed implementation of the general process for vehicle-related topics is described in section 4.1.

3. JOINT COORDINATING GROUP OF EXPERTS (JCGE)

The RID/ATMF working group considered that both TDG experts and railway experts should be represented in the Joint Coordinating Group of Experts (JCGE), as well as representative organisations from the relevant industry sectors. Expertise from EU and non-EU MSs should be represented.

With a view to keeping the coordination resources involved to an efficient level, it is also considered that the number of representatives should be limited and balanced equally between TDG and general railway experts. It is also important that the experts attending JCGE meet-

ings provide the expertise needed in accordance with the proposed agenda items (ad hoc representation).

Finally, because a given item may cover more than one relevant TSI/UTP, it is considered that OTIF and the Agency should be represented in the JCGE by 1 TDG expert and 1 expert per TSI/UTP concerned that has been placed on the agenda of a given JCGE meeting.

In accordance with the above the following composition of the JCGE is proposed.

3.1 MEMBERSHIP AND CHAIRMANSHIP

Those attending a meeting of the JCGE are nominated by the organisation they represent in order to provide the required expertise, in relation to the provisional agenda of each meeting.

JCGE meetings will be attended by the following number of persons from each area:

- 1 TDG expert and 1 railway expert per represented State,
- 1 TDG expert and 1 railway expert per represented sector organisation,
- 1 TDG expert and 1 expert per relevant TSI from ERA,
- 1 TDG expert and 1 UTP expert from the OTIF Secretariat,
- 1 TDG expert and 1 railway expert from DG MOVE,
- 1 co-chair proposed by OTIF with a background in TDG,
- 1 co-chair proposed by DG-MOVE with a background in general railway legislation,
- Secretariat of the JCGE: comprises either the expert from DG MOVE or from the OTIF Secretariat. This will be decided by the co-chairs.

The JCGE will elect the Co-chairs at its first meeting.

Important remark:

It is unlikely that the JCGE would be able to function with too many participants. This is why organisations are strongly urged to limit their attendance to the strictly necessary in accordance with the topics covered in the proposed agenda established by the co-chairs and to select their representatives in accordance with the required expertise.

3.2 JCGE OBJECTIVES

The objective of the coordination process is to ensure correct interfaces between RID and general railway law and to facilitate the achievement of coherent legislative developments under the responsibility of THE COMMITTEES by identifying commonly agreed solutions of principle acceptable to THE COMMITTEES.

To achieve this common objective, JCGE members have the following responsibilities:

- Discuss the items (issues) presented by the JCGE co-chairs,
- Discuss whether or not it is necessary to take action,
- If applicable, develop solutions allowing safety, interoperability and cost-effectiveness to be reconciled, resulting in:
 - Advice to modify RID provisions (protection objectives),
 - Advice to modify general railway provisions (esp. TSIs/UTPs) (technical specifications for implementing the protection objectives),
 - Anticipated applicability/impact of the proposed modification within EU and COTIF legislative regimes,

- Multimodal aspects of the proposed modification (if applicable),
- Describe in a short technical report the conclusions of the JCGE's technical analysis of the items,

The co-chairs are responsible for:

- Convening JCGE meetings with the assistance of the Secretariat of the JCEG,
- Preparing advice suggesting the legislative way forward (based on the JCGE technical report, as an annex) to be addressed to THE COMMITTEES, reporting the majority view of the JCGE and where necessary, diverging opinions.
- Monitoring the follow-up to the advice provided to THE COMMITTEES and reporting to the JCGE.

These objectives will be sent to THE COMMITTEES for endorsement and will consecutively become part of the JCGE rules of procedure, which are to be established during the first meeting of the JCGE.

3.3 PRACTICAL ORGANISATION OF JCGE MEETINGS AND REPORTS

In order to facilitate the practical organisation of meetings, clearly defined points of contact will be made available in the relevant organisations:

- OTIF/TDG: head of the RID department,
- OTIF/CTE: head of the technical interoperability department,
- DG MOVE/TDG: Policy Officer in charge of the Transport of Dangerous Goods File,
- DG MOVE/RISC: Policy Officer in charge of the ATMF File,
- ERA: project officer in charge of the dangerous goods file.

The coordination of actions relating to JCGE between ERA, DG MOVE and the OTIF Secretariat will take place in accordance with Art. 12. of their Administrative Arrangements.

The principle retained for the organisation of meetings is ad-hoc coordination, at the request of the co-chairs of the JCGE, on the basis of items formally reported to them by THE COMMITTEES.

The practical organisational steps are as follows:

- 1) At the first meeting of the JCGE, a list of items, including their order of priority, should be established in the form of a 'JCGE Table of coordination items',
- 2) THE COMMITTEES may at any time send new coordination requests,
- 3) Linked items, if any, are identified,
- 4) Co-chairs convene JCGE meetings for a given list of items for coordination,
- 5) Delegations announce their participation in the meetings within the limits reported in section 3.1,
- 6) The meeting of JCGE is held in locations alternately decided by the OTIF Secretariat and DG MOVE,
- 7) The language regime is defined by the JCGE at its first meeting,
- 8) The JCGE technical reports are prepared alternately by the OTIF and DG MOVE secretariats, under the coordination of the co-chairs,
- 9) Those JCGE participants who have taken part in the discussion prepare a formal review of the technical reports,

- 10) The JCGE's advice is prepared by the co-chairs, taking into account the JCGE technical reports,
- 11) THE COMMITTEES may require that the proposed advice be revised, where justified. In this case the process restarts at point 1.

3.4 THE COMMITTEES' FOLLOW-UP TO ADVICE PROVIDED BY THE JCGE

Although THE COMMITTEES are legally free to decide whether or not to follow the advice, they have to give it due consideration.

If THE COMMITTEES decide to follow JCGE advice, they should use it in line with their authority as prescribed by the legislation in force and existing working practices, including giving relevant mandates to existing bodies/working parties/working groups, as necessary.

As described in section 1 of this document, the development of technical provisions for vehicles is organised at EU level by the Agency Working Parties. Experts designated by OTIF to represent the interests of non-EU OTIF Member States participate as observers in the Agency Working Parties. After RISC has given its opinion and following adoption by the European Commission of the resulting TSIs or amendments thereto, the TSIs or amendments thereto are transposed into COTIF in the form of UTPs or amendments thereto. It is for this reason that changes to the general railway legislation resulting from the advice of the JCGE will first be developed in the EU (e.g. in TSIs) and then be transposed into COTIF (e.g. in UTPs). The sequence for dealing with the substance of JCGE advice would therefore be:

- JCGE → (EU) Agency WP → (EU) RISC → (OTIF) WG TECH → (OTIF) CTE

For RID the sequence would be different, to the extent that the development is initiated at OTIF level and then transposed into EU law:

- JCGE → (OTIF) RID standing Working Group → (OTIF) RID Committee of Experts → (EU) Inland TDG

For aspects where intermodal coordination might be required, the RID Committee of Experts would be responsible for coordination with the UNECE/OTIF RID/ADR/ADN Joint Meeting.

4. FORESEEABLE LIST OF ITEMS FOR JCGE MEETINGS

The RID/ATMF working group agreed on the general process of coordination on the basis of a list of potential issues that were discussed in order to identify the need 1) to improve consistency between existing TDG and general railway legislation and 2) to ensure effective coordination of future legislative developments.



As the starting point for the 'JCGE Table of coordination items' the RID/ATMF Working Group suggested the items listed in Annexes 1 and 2.


Annex 1 contains a list of existing RID vehicle requirements to be migrated into assessable TSI/UTPs requirements. Annex 2 concerns other items that have already been identified.



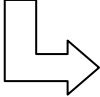
4.1 DETAILED COORDINATION PROCESS

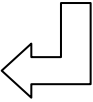
The list is contained in Annex 1, which in practice corresponds to a preliminary suggestion for the 'JCGE Table of coordination items' described in section 3.3.

For these items, practical implementation of the general coordination process (described in section 2) takes place as detailed in the following table:

Step	RID / EC TDG	Joint Coordinating Group of Experts	CTE / RISC
1	Identification of items concerning vehicle requirements, as listed in annex 1		Identification of items concerning vehicle requirements, as listed in annex 1
2	Coordination request 	JCGE implements Section 3 In particular the JCGE: <ul style="list-style-type: none"> - agrees the vehicle requirements that are subject to coordination - comes to an agreement on how to define the objective in RID and the technical specifications/provisions in the TSIs - defines the protection objective for each existing detailed RID vehicle provision. [e.g. for TE25 a): The tank of the tank-wagon shall be protected against the risks related to overriding in case of a derailment or collision.] - defines (high level) objectives concerning amendments to TSIs/UTPs. - lastly, the conclusions are described in a technical report. - JCGE co-chairs address their advice to (the requestors) RID and RISC Committees with copy to the other Committees. 	Coordination request 

Step	RID / EC TDG	Joint Coordinating Group of Experts	CTE / RISC
3	<p>RID Committee of Experts formally decides on the follow-up to JCGE advice within the limits of its prerogative as stated in COTIF.</p> <p>e.g to add the protection objective overarching each existing detailed RID vehicle provision. (note: the vehicle provisions also remain in RID)</p>		<p>RISC and CTE formally decide on the follow-up to JCGE advice within the limits of their prerogatives as stated respectively in the EU legislation and in COTIF.</p> <p>e.g RISC approves a delegated act mandating the Agency to develop TSI(s) in line with the technical specifications / provisions described by JCGE.</p> <p>The Agency working parties develop draft TSIs or amendments thereto in response to formal requests from the European Commission, in accordance with its Regulation and internal rules of procedure. Experts designated by OTIF to represent the interests of non-EU OTIF Member States participate as observers in the Agency working parties.</p> <p>The Agency addresses draft TSIs or amendments thereto to RISC, including the technical specifications / provisions related to the protection objective developed by the RID Committee of Experts.</p>

Step	RID / EC TDG	Joint Coordinating Group of Experts	CTE / RISC
4	<p>RID Committee of Experts informs the co-chairs of JCGE on the follow-up given to JCGE advice.</p> 	<p>JCGE co-chairs check the progress of and compliance with the solution developed (high level objective / draft TSIs or amendments thereto) with the initial advice, and address requests for clarification or corrective action, if necessary.</p> <p>Lastly, the conclusions are submitted to RID and RISC for decision.</p>	<p>RISC informs JCGE co-chairs of the follow-up given to JCGE advice.</p> 
5			<p>RISC delivers an opinion on the draft TSIs or amendments thereto concerning the protection objectives as defined in RID in line with its prerogatives as stated in the EU legislation.</p> <p>The European Commission adopts the TSIs or amendments thereto.</p> <p>CTE decides on the transposition of the TSIs or amendments thereto in the form of UTPs.</p> <p>Reference is made to the RID high level objective in the TSIs/UTPs.</p>

Step	RID / EC TDG	Joint Coordinating Group of Experts	CTE / RISC
6	<p>Once the technical specifications are available at TSI and UTP level, reference is made to TSIs and UTPs in RID as a means of compliance with high level protection objectives,</p> <p>and,</p> <p><i>detailed (pre-existing) RID vehicle provisions,</i> are removed.</p>		

ANNEX 1: LIST OF PROPOSED ITEMS (COORDINATION OF EXISTING RID VEHICLE REQUIREMENTS)

The list below was developed by the working group. It identifies subjects for which the proposed coordination process should be implemented.

Subject	RID-ATMF working group's views
<p><i>1 a - Design and construction of vehicles</i></p> <p>Scope of RID and Interoperability Directive with respect to vehicle requirements</p>	<p>See 'summary of objectives and competences'.</p> <p>For reasons of efficiency and clarity it is desirable that all vehicle requirements are checked in the process of admission or authorisation of the vehicles according to ATMF and Directive (EU) 2016/797 respectively. The group therefore supports the migration of vehicle requirements from RID to TSIs/UTPs by application of a mutually agreed process.</p> <p>For EU vehicle authorisation in the meaning of the EU interoperability Directive, TSIs concerning vehicles are applied before a vehicle is authorised (and not after it has been authorised). In principle, TSI requirements apply only to new, renewed or upgraded wagons. TSI requirements do not, in principle, apply retroactively to existing vehicles, but in certain defined cases, TSI can also apply to existing vehicles.</p> <p>In RID, it is possible to specify retroactive requirements and RID already does so by requiring the existing fleet to meet new provisions. A certain deadline (transitional period) for implementation may be defined by so-called transitional provisions.</p> <p>ATMF is consistent with RID in the sense that it makes direct reference to RID in Article 19§5:</p> <p><i>"Regardless of this transitional provision, the vehicle and its documentation shall comply with the prescriptions in force of the UTP concerning marking and maintenance; compliance with the prescriptions of RID in force shall also be ensured, where applicable..."</i></p> <p>If existing vehicle-related requirements are transferred from RID to TSIs/UTPs, it must be ensured that the possibility exists for the retroactive application of requirements in TSIs/UTPs to existing vehicles.</p>
<p><i>1 b - Design and construction of vehicles</i></p> <p>Way of specifying; functional/technical solutions</p>	<p>The process described in this paper foresees that protection objectives will be included in RID and that the technical requirements to meet these objectives would be included in TSIs/UTPs. RID could then refer to the TSIs/UTPs where feasible.</p>
<p><i>2 a - Vehicle authorisation process</i></p> <p>Responsibilities for conformity assessment (Notified Body for vehicles)</p>	<p>The aim of migrating RID vehicle requirements from RID to TSIs/UTPs is to harmonise the responsibilities and competences for vehicle authorisation. In the target situation, the assessments of the vehicle prior to authorisation/admission will be performed by a Notified Body / Assessing entity.</p> <p>Another way to solve the issue is to put a reference to the RID provisions in the TSI WAG, as is the case in the ATMF.</p>

<p><i>2 b - Vehicle authorisation process</i></p> <p>Authorisation process and actors involved (competent authority)</p>	<p>On the basis of national, regional and international law, each State defines its competent authorities for vehicle authorisation/admission and for RID matters.</p> <p>In the target situation, the authority for vehicle authorisation and the authority for RID matters will have more clearly specified competences.</p>
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With regard to the subject of **vehicle-related provisions**, the group identified that RID contains the following, applicable to tank-wagons, demountable tanks and battery-wagons, which should be considered for transferral to TSIs according to the proposed coordination process.

In particular, the JCGE should consider the following RID provisions:

6.8.2.1.2

Tank-wagons shall be constructed as to be capable of withstanding, under the maximum permissible load, the stresses which occur during carriage by rail.¹ As regards these stresses, reference should be made to the tests prescribed by the competent authority.

¹ *This requirement is deemed to be met if*

- *the notified body in charge of verifying compliance with the technical specification for interoperability (TSI) relating to the subsystem "rolling stock – freight wagons" of the rail system in the European Union (Commission Regulation (EU) No 321/2013 of 13 March 2013) or*
- *the assessing entity in charge of verifying compliance with the uniform technical prescriptions (UTP) applicable to the Rolling Stock subsystem: FREIGHT WAGONS – (Ref. A 94-02/2.2012 of 1 January 2014) has successfully evaluated compliance with the provisions of RID, in addition to the requirements of the TSI or UTP mentioned above, and has confirmed this compliance by a relevant certificate.)*

6.8.2.1.29

The minimum distance between the headstock plane and the most protruding point at the shell extremity on tank-wagons shall be 300 mm.

Alternatively for tank-wagons for substances other than those for which the requirements of special provision TE 25 of 6.8.4 (b) apply, buffer override protection of a design approved by the competent authority shall be provided. This alternative is only applicable to tank-wagons used solely on railway infrastructure requiring a freight vehicle gauge smaller than G1.

6.8.2.5.2

The following particulars shall be inscribed on both sides of the tank-wagon (on the tank itself or on plates):

- *vehicle keeper mark or name of operator;*
- *capacity;*
- *unladen mass of tank-wagon;*
- *load limits according to the characteristics of the wagon and the nature of the lines used;*
- *for the substances according to 4.3.4.1.3, the proper shipping name of the substance(s) accepted for carriage;*
- *tank code according to 4.3.4.1.1;*

- for substances other than those according to 4.3.4.1.3, the alphanumeric codes of all special provisions TC and TE which are shown in column (13) of Table A of Chapter 3.2 for the substances to be carried in the tank; and
- date (month, year) of the next inspection in accordance with 6.8.2.4.2 and 6.8.2.4.3 or with the TT special provisions of 6.8.4 for the sub-stance(s) accepted for carriage. If the next inspection is an inspection in accordance with 6.8.2.4.3, the date shall be followed by the letter "L".

6.8.3.1.6

Tank-wagons and battery-wagons shall be fitted with buffers with a minimum energy absorption capacity of 70 kJ. This provision does not apply to tank-wagons and battery-wagons fitted with energy absorption elements in accordance with the definition in 6.8.4, special provision TE 22.

Special provision TE 16

No part of the tank-wagon may be of wood, unless this is protected by a suitable coating.

Special provision TE 17

For demountable tanks, the following requirements apply:

- (a) they shall be so fixed on the underframe of the wagon that they cannot move;
- (b) they shall not be interconnected by a manifold;
- (c) if they can be rolled, the valves shall be provided with protective caps.

Special provision TE 22

In order to reduce the extent of damage in the event of a collision shock or accident, each end of tank-wagons for substances carried in the liquid state and gases or battery-wagons shall be capable of absorbing at least 800 kJ of energy by means of elastic or plastic deformation of defined components of the subframe or by means of a similar procedure (e.g. crash elements). The energy absorption shall be determined in relation to a collision on a straight track.

Energy absorption by means of plastic deformation shall only occur in conditions other than those encountered during normal conditions of rail transport (impact speed higher than 12 km/h or individual buffer force greater than 1500 kN).

Energy absorption of not more than 800 kJ at each end of the wagon shall not lead to transfer of energy to the shell which could cause visible, permanent deformation of the shell.

The requirements of this special provision are deemed to be met if crashworthy buffers (energy absorption elements) that conform to clause 7 of standard EN 15551:2009 + A1:2010 (Railway applications – Railway rolling stock – Buffers) are used and if the resistance of the wagon body satisfies clause 6.3 and sub clause 8.2.5.3 of standard EN 12663-2:2010 (Railway applications – Structural requirements of railway vehicle bodies – Part 2: Freight wagons).

The requirements of this special provision are deemed to be met by tank-wagons with an automatic coupling device equipped with energy absorption elements capable of absorbing at least 130 kJ at each end of the wagon.

Special provision TE 25

Shells of tank-wagons shall also be protected against the overriding of buffers and derailment or, failing that, to limit damage when buffers override by at least one of the following measures.

Measures to avoid overriding(a) *Device to protect against the overriding of buffers*

The device to protect against the overriding of buffers shall ensure that the sub-frames of the wagons remain on the same horizontal level. The following requirements shall be fulfilled:

- The device to protect against the overriding of buffers shall not interfere with the normal operation of the wagons (for example negotiating curves, Berne rectangle, shunter's handle). The device to protect against the overriding of buffers shall permit the free taking of curves by another wagon fitted with a device to protect against the overriding of buffers in a curve of 75 m radius).
- The device to protect against the overriding of buffers shall not interfere with the normal functioning of the buffers (elastic or plastic deformation) (see also special provision TE22 in 6.8.4 (b)).
- The device to protect against the overriding of buffers shall function independently of the condition of the load and the wear and tear of the wagons concerned.
- The device to protect against the overriding of buffers shall withstand a vertical force (upwards or downwards) of 150 kN.
- The device to protect against the overriding of buffers shall be effective irrespective of whether the other wagon concerned is fitted with a device to protect against the overriding of buffers. It shall not be possible for devices to protect against the overriding of buffers to obstruct each other.
- The increase in the overhang for fixing the device to protect against the overriding of buffers shall be less than 20 mm.
- The width of the device to protect against the overriding of buffers shall be at least as big as the width of the buffer head (with the exception of the device to protect against the overriding of buffers located above the left-hand footboard, which shall be tangent to the free space for the shunter, although the maximum width of the buffer must be covered).
- A device to protect against the overriding of buffers shall be located above every buffer.
- The device to protect against the overriding of buffers shall permit the attachment of buffers prescribed in standards EN 12663-2:2010 Railway applications – Structural requirements of railway vehicle bodies – Part 2: Freight wagons and EN 15551:2009 + A1:2010 (Rail-way applications – Railway rolling stock – Buffers) and shall not present an obstacle to maintenance work.
- The device to protect against the overriding of buffers shall be built in such a way that the risk of penetration of the tank end is not increased in the event of a shock.

Measures to limit damage when buffers override(b) *Increasing the wall thickness of the tank ends or using other materials with a greater energy absorption capacity*

In this case, the wall thickness of the tank ends shall be at least 12 mm.

However, the wall thickness of the ends of tanks for the carriage of gases UN 1017 chlorine, UN 1749 chlorine trifluoride, UN 2189 dichlorosilane, UN 2901 bromine chloride and UN 3057 trifluoroacetyl chloride shall in this case be at least 18 mm.

(c) *Sandwich cover for tank ends*

If protection is provided by a sandwich cover, it shall cover the entire area of the tank ends and shall have a specific energy absorption capacity of at least 22 kJ (corresponding to a wall thickness of 6 mm), which shall be measured in accordance with the method described in Annex B to EN standard 13094 "Tanks for the transport of dangerous goods – Metallic tanks with a working pressure not exceeding 0.5 bar – Design and construction". If the risk of corrosion cannot be eliminated by structural measures, it shall be made possible to undertake an inspection of the external wall of the tank end, e.g. by providing a removable cover.

(d) *Protective shield at each end of the wagon*

If a protective shield is used at each end of the wagon, the following requirements shall apply:

- the protective shield shall cover the width of the tank in each case, up to the respective height. In addition, the width of the protective shield shall, over the entire height of the shield, be at least as wide as the distance defined by the outside edge of the buffer heads;*
- the height of the protective shield, measured from the top edge of the headstock, shall cover*
 - either two thirds of the tank diameter or*
 - at least 900 mm and shall in addition be equipped at the top edge with an arresting device for climbing buffers;*
- the protective shield shall have a minimum wall thickness of 6 mm;*
- the protective shield and its attachment points shall be such that the possibility of the tank ends being penetrated by the protective shield itself is minimized.*

(e) *Protective shield at each end of wagons fitted with automatic couplers*

If a protective shield is used at each end of the wagon, the following requirements shall apply:

- the protective shield shall cover the tank end to a height of at least 1100 mm, measured from the top edge of the headstock, the couplers shall be fitted with anticreep devices to prevent unintentional uncoupling and the protective shield shall, over the entire height of the shield, be at least 1200 mm wide;*
- the protective shield shall have a minimum wall thickness of 12 mm;*
- the protective shield and its attachment points shall be such that the possibility of the tank ends being penetrated by the protective shield itself is minimized.*

The wall thicknesses specified in (b), (c) and (d) above relate to reference steel. If other materials are used, except if mild steel is used, the equivalent thickness shall be calculated in accordance with the formula in 6.8.2.1.18. The values of R_m and A to be used shall be specified minimum values according to material standards.

7.1.1 NOTE:

Wagons are allowed to be equipped with detection devices which indicate or react to the occurrence of a derailment, provided that the requirements for the authorisation for placing into service of such wagons are met.

The requirements for placing into service of wagons cannot prohibit or impose the use of such detection devices. The circulation of wagons shall not be restricted on the grounds of the presence or lack of such devices.

ANNEX 2: OTHER ITEMS RELEVANT TO THE JCGE

The list below was developed by the working group. The list identifies elements related to questions or subjects raised during the RID/ATMF working group meeting. The elements are not necessarily problems and some elements may be more significant than others.

For some of the elements a short explanation may answer the question or resolve the coordination issue. Other elements may need more substantial analysis or action, including possible intervention by the JCGE.

Subject	RID-ATMF working group's views
<p><i>3 a - Design and construction of vehicles</i></p> <p>Decision-making process/criteria for new provisions, impact assessment and consultation process. Analysis of interface between subsystems within the railway system</p>	<p>See 'summary of objectives and competences'.</p> <p>The group recognises that the RID/TDG and CTE/RISC have their respective decision-making processes, including impact assessment, consultation processes etc. These processes are not called into question.</p> <p>There is now, and there could be in the future, a need for coordination of views on certain topics. For this reason, two priorities are suggested in this paper concerning:</p> <ul style="list-style-type: none"> – Priority items: the consensual migration of vehicle related RID requirements to TSIs/UTPs, which represents specific implementation of the general process described in section 2, – Lower priority items which may also need to be addressed in the future by the general coordination process described in section 2. <p>The decision-making process for harmonisation is already addressed by another workflow organised by the Agency (TDG Roadmap) with the participation of TDG experts. This subject is already coordinated; the results of this workflow may help the JCGE when available.</p>
<p><i>4 a - Operation and maintenance</i></p> <p>Train composition: RID and the application of TSI OPE</p>	<p>RID does not contain any provisions on train composition, only safety distances for wagons carrying explosive substances. Such measures can have an impact on train composition.</p> <p>The TSI OPE and the UTP WAG¹ specify that the composition of the train is the responsibility of the railway undertaking.</p> <p>This subject may require coordination in the future, for which this paper suggests a process.</p>
<p><i>4 b - Operation and maintenance</i></p> <p>Actors and terminology: e.g. carrier vs RU, tank-wagon operator vs keeper</p>	<p>Some RID terminology is similar to terminology used in the transport of dangerous goods by other transport modes. This explains why some terminology used in RID is different from terminology used in general railway legislation.</p> <p>This subject is not considered critical, because where necessary, RID clarifies the terminology so that it can also be under-</p>

¹ As there was no UTP OPE at the time of adoption of the UTP WAG, some of the responsibilities concerning train composition which are defined at EU level in the OPE TSI have been transposed into an annex to the UTP WAG.

	<p>stood in terms of general railway legislation.</p> <p>Some examples:</p> <p>Carrier: company which transports the dangerous goods. The carrier according to RID is the railway undertaking who is effectively carrying out the transport.</p> <p>RID specifies that the term "tank-wagon operator" is equivalent to the term "vehicle keeper".</p> <p>A table of correspondence, with explanations where relevant, could be developed to help both sides understand the respective roles and responsibilities.</p>
<p><i>4 c - Operation and maintenance</i></p> <p>Telematics and the TAF TSI</p>	<p>Possible interaction between TAF TSI and 1.4.2.2.5, 1.4.3.6 (b) and 5.4.0 of RID → to be analysed</p>
<p><i>4 d - Operation and maintenance</i></p> <p>Maintenance process and rules</p>	<p>With the introduction of the concept of the entity in charge of maintenance (ECM) in RID 2017, this topic is an example of good coordination between both areas of law.</p> <p>This subject may require coordination in the future, for which this paper suggests a process.</p>
<p><i>4 e - Operation and maintenance</i></p> <p>Safety responsibilities</p>	<p>Safety responsibilities of the actors as defined in Directive 2008/68/CE and chapter 1.4, RID, in relation to new Safety Directive (EU) 2016/798.</p>
<p><i>5 a -Coordination processes between RID and general railway legislation</i></p> <p>In case of a change to the railway system. This may concern many aspects, such as vehicles, the way trains are operated, etc.</p>	<p>See point 2 of this document.</p>
<p><i>5 b -Coordination processes between RID and general railway legislation</i></p> <p>To report accidents/incidents and statistics</p>	<p>The Agency organises workshops on risk management in the context of the inland transport of dangerous goods. There is no direct need for additional coordination.</p>

<p><i>5 c - Coordination processes between RID and general railway legislation</i></p> <p>For national rules and their legal justification (RID/Railway Safety Directive) and possibilities for harmonising or eliminating them.</p>	<p>National provisions appear in different forms and are sometimes not very transparent. Besides national provisions there may be arrangements at national level in the form of private agreements.</p> <p>In general, national requirements are not helpful for international harmonisation and the aim should therefore be to harmonise or eliminate them.</p> <p>The new coordination group suggested in this paper could help to harmonise national rules which have their origin in the two areas of law (e.g. RID and the safety directive / national safety rules) or could give advice on eliminating them on the basis of one of these areas of law.</p>
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