



Organisation intergouvernementale pour les transports internationaux ferroviaires
Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr
Intergovernmental Organisation for International Carriage by Rail

OTIF/JCGE/2020-A

[20 November 2020]

(English only)

**TO THE MEMBER STATES AND ASSOCIATE MEMBERS OF OTIF AND
TO REGIONAL ORGANISATIONS WHICH HAVE ACCEDED TO COTIF**

Final report of the meeting of the Joint Coordinating Group of Experts

(Remote Meeting 8-9 September)

Agenda item 1: Approval of the agenda

Document: TECH-20030-JCGE (Secretariat)

1. The provisional agenda contained in the invitation TECH-20030-JCGE of 8 July 2020 was adopted. Welcome and advice on how to proceed with virtual meeting were given by the Secretariat. ERA informed the audience that their presence would be possible only on first day, so Agenda and ITEMS for discussions were organised accordingly.
2. The following Member States participated in the work of the Joint Coordinating Group of Experts (see also Annex I):

Austria, Belgium, Finland, France, Germany, Hungary, Iran, Italy, Latvia, Luxembourg, Netherlands, North Macedonia, Slovakia, Spain, Switzerland and the United Kingdom.

The European Commission was represented. The European Union Agency for Railways (ERA) was only represented at the discussion of agenda items 3: 1b, 4: 2a and 4b, 5:2b and 9 and was not available to participate to the other discussion points due to other appointments.

The following non-governmental international associations were represented: Community of European Railway and Infrastructure Companies (CER), European Chemical Industry Council (CEFIC), International Union of Railways (UIC) and International Union of Wagon Keepers (UIP).

Agenda item 2: Appointment of chair or co-chairs

3. In accordance with Article 4 § 1 of the Rules of Procedure as adopted in the preparatory meeting of the JCGE on 7 February 2019, DG MOVE proposed United Kingdom, in the shape of Mr Arne Bale, as a chair and nobody from railways background was available. Mr Arne Bale said he was prepared to chair this meeting as sole chair, as previous time.

Agenda Item 4 - Update of priority items

4 b - Operation and maintenance: actors and terminology: e.g. carrier vs RU, tank-wagon operator vs keeper – Definition of tank-wagon operator Rapporteur: ERA

Document: INF 5 (ERA)

5. *Introduction: For the 2021 amendments to RID, the OTIF Secretariat proposed to adapt the reference to the EU legislation in footnote 5 to the definition of "tank-wagon operator" in RID 1.2.1. This proposal has not been adopted, as ERA signalled that a reference to the latest legislative texts on EU general railway law might create misunderstandings, due to the allocation of responsibilities that recent European legislation assigns to the various actors involved in rail transport. It would therefore be appropriate to analyse this item further in order to avoid the risk of introducing new provisions into RID which could be contradictory to the railway legislation in force.*
6. *Clarification of ERA's objection concerning the conflicts between the definition "Operator of a tank-container, portable tank or tank-wagon" and the proposed footnote 5 in section 1.2.1 on one hand, and the term "keeper" as defined in Art. 3.19 of Directive 2016/798/EU and Art. 2.21 of Directive 2016/797/EU on the other. (see also reference document – OTIF/RID/CE/2020/1).*
7. ERA presented the input paper, in particular pg. 5 comments (1.2.1; 1.4.2.2.8; 1.4.3.5; 6.8.2.5.2)

8. BE Comment: „carrier“ cannot be replaced by Railway Undertaking (RU) as it does not cover the case of Infrastructure Manager (IM) also transporting goods. In RID framework, keeper can be used instead of operator when talking about wagons.
9. COM: in EU railway legislation, anybody transporting goods became an RU in legal terms when doing so. Therefore, the term RU also covers the case of IM transporting goods;
10. UIP: support BE; no knowledge of any problem in understanding the legislation.
11. OTIF: Before discussing terminology change, we should have a good overview and analysis of all legislations.
17. Chair: the footnote shows relationship between terms of different legislations. All actors involved in both sets of legislations should have no doubts about their responsibilities. Terminology used only in RID legislation could be harmonised, but not for other terms also used in general Railway legislation, road and possibly inland waterway transport: more analysis of the terminology is needed.
18. ERA: there are two different topics
The question about the work of keeper and tank wagon operator, which can be solved now;
The question raised at the adoption of RID 21: for the word “carrier”, other modes need to be considered carefully. ERA could propose something to the next standing RID WG at end of November this year.
19. Chair: ERA will present a proposal to the standing working group in November.
Point closed.

Agenda item 3: Review and report on the list of priority items agreed at the previous meeting (see also document OTIF/RID/CE/JCGE 2019-B/Add.1)

1 b – Design and construction of vehicles: specification method; functional/technical solutions, ITEM 1: 6.8.2.1.2 RID - Rapporteurs: DE, ERA

Document: INF 2 (Germany), INF 4 (ERA)

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

Documents with specific proposals were submitted to the working group on tank and vehicle technology and to the standing working group. The Secretariat of OTIF will submit extracts of the reports to JCGE.

At a video conference that was organised by the Secretariat of OTIF to discuss the draft RID 2021 amendments, the European Commission proposed to keep the text of footnote 1 to 6.8.2.1.2 as in RID 2019.

21. *Clarification of the ERA objection to the introduction of an amended footnote 1 to section 6.8.2.1.2 (see also Reference document – OTIF/RID/CE/2020/1)*

Further discussions should be held in the JCGE and in the RID/ADR/ADN Joint Meeting with the aim of rapidly defining a text, which could be inserted into the relevant TSI Guides and OTIF Guidelines, to the benefit of the interested stakeholders.

22. Chair: States that are not part of the EU shall also have explanation in the application guide.

23. NL: we should define harmonised provisions, there is no need for specific provision are needed at RID level.
24. BE: wagons have to comply with railway regulation
25. IT: specifications should be in TSI wagon or UTP wagon.
26. ERA: we cannot include such points because they are already covered.
27. DE: what is the legal value of application guide in EU framework?
28. ERA: Application guides are of voluntary application, but are considerably used by the sector and authorities (NSA, ERA).
29. Chair: Standardisation should be the way forward. All specific requirements for tank wagons coming from EN14025 should be in EN 12663-2; EN14025 has presumption of conformity for tank wagon. The discussion should be held in the CEN group. The footnote is a temporary solution until the experts arrive at the good EN 12663-2, which considers this particular requirement of the EN14025.
30. OTIF: points the difference in standalone tank mounted on a wagon or tank wagon.
31. ERA: We should make a distinction between what is applicable to the tank and can be defined as such in isolation for the containment and what is applicable for authorisation of the tank wagon vehicles. A tank mounted forever on a wagon must be considered as a vehicle. NoBo have to apply correct verification when tank wagon is assessed, but this is different to assess only the tank as it is considering the vehicle as a whole.
Moreover, TSIs do not cover any equipment in general because they are defined by other regulation such as RID, i.e. no specific requirement for the tank or specific superstructure. The strength of the wagon under the scope of the TSI is at the border with RID, as explained in the German note. It relates to any strength from the attachment between the tank and the bodies of the vehicle that have an impact of the strength of the vehicle body. This is a very good clarification for the external unit described in the TSI: this note introduces a reminder that any influence from the tank into the vehicle body must be covered by the TSI.
33. DE is not opposed to include it in the WAG TSI but it is not sufficient, requirements must be added also to the RID. In the approval process, the two regulations apply. DE agrees with ERA focus should be on standardisation. A quick solution would be to analyse both texts and verify their harmonisation.

DE would also support having requirements in the TSI because not all RID States are EU States and vice versa.

NoBo and NSA are different bodies: this footnote would not give them additional work, but would inform them on what to do so that nothing is forgotten.
34. UIP: more clarification is needed, but TSI application guide may be sufficient
35. Chair: ERA did not comment on protecting item on RID
36. ERA: NoBo has to assess TSI Requirements
37. Chair: more work is needed on this item. There is a wish to add something to RID. We should discuss this topic at the next standing working group.
38. ERA: the EU authorisation process for vehicles, therefore also for wagons, includes the step of "safety integration". Not everything needs to be absolutely covered by TSI or RID: the safe

integration is a step performed by the applicant which is also verified by an Independent Assessment Body (AsBo) which checks that all aspects of safe integration, in particular at the interfaces, are covered. The process applied follows the Common Safety Methods on Risks Assessment of interface: this is done by CSM on Risk Assessment (Regulation (EU) 402/2013).

39. OTIF: to be clarified which group should cover this item: the invitation of the tank wagon WG was already sent out and the next standing working group invitation will be sent out next week.
40. Chair Conclusion: Best way forward is to look at the issue at the next standing working group in November and then report to this JCGE.

2 a - Vehicle authorisation process: responsibilities for conformity assessment (Notified Body for vehicles)

ITEM 4: 7.1.1. (NOTE) Rapporteurs: ERA/DGMOVE

Document: INF 9 (ERA)

41. *Introduction: 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. The functional and technical specifications related to derailment detection devices and their use should be developed by ERA.*
42. ERA delivered a presentation on the state of play with DDD.
43. NL: is there a reason for being DDD a voluntary measure or could it be obligatory in future?
44. Chair: in RID chapter 7.1 is an option, you may fit vehicles DDD but it is not obligatory. Once electronic devices will be available, we may come back to this point.
45. OTIF: it is correct for TSI specification to define DDD as voluntary; however, it could become mandatory in RID context under certain conditions.
46. UIP: there is a strong link with digital central automatic coupling: its development may influence the use of DDD.
47. Chair: no objection to look at it in a second stage in RID, but it is too early now as the technology is not yet available.
48. IT: the ERA working group "freight" is also working to define requirements for existing mechanical DDD.
49. BE: is a text available for consultation?
50. ERA: the draft is in a very preliminary stage, it will be made available when finalised.
51. Conclusion: ERA will distribute a draft as soon as available and will report status at next JCGE

5 b - Coordination processes between RID and general railway legislation for reporting of accidents/incidents and statistics

ITEM 9: New working group created by UNECE identifying interfaces with ERA tasks
Rapporteur: ERA, FR

Document: INF 7 (ERA)

52. *Introduction: Items to be discussed under a new Joint Meeting informal working group on the improvement of accident reporting. Report on the outcome of the ERA workshops (incl. CSM ASLP).*
53. ERA: ERA has a mandate from the European Commission to develop CSM on ALSP (Assessment of Safety Level and Safety Performance of railway operators) having a topical link with occurrence reporting. As announced at Joint Meeting, ERA is progressing quickly, as requested by the mandate (deadline December 2020). In this future draft regulation we have coordinated with the Joint Meeting informal WG, we have in several places taken into account the necessary consistency with the reporting of DG accidents and incidents that are also in the scope of the CSM ALSP. CSM ALPS is considering any type of accident and incident (passengers, freight or even trespasses as considered in Railway Safety Directive). Coordination between DG and Railway was highly implemented.

Concerning the current second draft, comments are due by 25/9/2020, if any connection at country level between DG competent authorities, the National Safety Authorities and the sector representative of railway is needed, please do not hesitate to forward comments to the ERA WP, they will be carefully considered.

ERA is still participating in the Joint Meeting informal WG to ensure full consistency: what was delivered by Joint Meeting informal WG could be included in the ADR/ADN and keep the consistency with RID.

54. FR (chair of joint meeting): it is a multimodal group (inland waterway and railway) which aims to harmonise the several documents on reporting on DG events. They must be in line with general with railway general regulation; ERA is in the discussion coordination both multimodal and railway sector is ensured in the joint meeting.
55. ERA: I confirm it is possible to discuss next week at the joint meeting if need be and that coordination is effective and draft is consistent with the progress achieved with the Joint Meeting informal WG.
56. CHAIR: good example of good cooperation from both side at the implementation of the start of that particular type of work.
Point closed.

2 b - Vehicle authorisation process and actors involved (competent authority)

ITEM 5: Conclusions of the Joint Meeting informal working group on inspection and certification of tanks
Rapporteurs: Chair, OTIF Secretariat

Document: INF 1 (Belgium) – entry into service verification

57. *Introduction: Chair and OTIF Secretariat to report on the Joint Meeting informal working group, progress made and available conclusions.*
58. BE: at the committee of experts in Vienna we discussed for the approval of tanks and the entry into service.

59. NL: from NSA NL there is good feedback with the implementation of 4RWP, but they see a problem with entry into service verification as it conflicts with 4RWP.
60. FR: in RID and ADR when tanks do not belong to class 2 we have the possibility of framework which is based on directive for tank of gas which allows much more flexibility. The counterpart in that directive is that MS has to make market surveillance in parallel with tank authorisation.

The entry into force verification gives to competent authorities a possibility, not an obligation. It's a verification similar to the one of market surveillance, however this regulation contradicts the rail tank wagon approval procedure so to be analysed if the verification of entry into service is the same as the one under market surveillance of class 2 but less constraining.

Authorities of MS can check at any time on their territory if DG provisions are correctly applied in their territory; this includes also compliance with the approval of tanks. Therefore, provisions on inspection and possibility of make inspection only clarify what already in RID. If that is contrary to 4RWP, those provision needs to be amended. However, there should be no contradiction these inspections are just a possibility, so they do not harm implementation of 4RWP. Can ERA confirm if it is possible to do the inspection before the approval?

61. ERA: the tank approval is checked at vehicle authorisation. Market surveillance is not put into question, but this argument could even reinforce ERA position. If inspections are possible at any time, there is no need to introduce a new step which is already covered at vehicle authorisation.
To reassure on the possibility to intervene from DG authority, the process of vehicle authorisation of 4RWP includes also possibility of revocation, if after authorisation an authority found that a vehicle is no longer in compliance, reason for which ERA do not see a need for additional verification for placing in service.
62. UIP: the sector considers it a double checking, which is a step back that we cannot support
63. DE: I support FR, inspection is only a possibility. It is obvious that competent authorities in the scope of their competence can check conformities. We wanted to have a process where we have mutual recognition, this requires to have the necessary instruments to ensure reliability. It is only a possibility and not a systematic. It is a question of discretion of the competent authorities which may not be resolved at regulatory level. The EU regulatory system may narrow the discretion with the consequence that the entry into service verification will be used very seldom.
64. NL: not a good idea for RID as already covered
65. Conclusions: proposal from Joint Meeting to be reviewed accordingly

1 b – Design and construction of vehicles: specification method; functional/technical solutions – ITEM 2: 6.8.3.1.6 Crash buffer and buffer override - Rapporteur: UIP

Document: INF 8 (UIP)

67. *Introduction: 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.*

These provisions assume that vehicles are fitted with conventional buffers and draw gear. The question is which requirements should apply to wagons with different configurations, such as central coupling.

UIP to prepare presentation/analyses with an overview of the measures and accident scenarios.

68. Chair: There are different measures in RID to protect the tank, the 300mm distance from the buffer-end aims to protect the end of the tank in case of collision; this protect all wagons carrying DG

6.8.3.1.6 foresees a stronger/greater buffer absorption for tank wagons intended for carriage of gas.

All these measures (some arising from UIC leaflet) have been introduced at different times in RID. Now we should rationalise what is really needed to protect the tank; it may not be necessary to have all those measures. As example, if you have a robust tank, you may not need 300mm distance at the end of each tank.

This could be an opportunity to reassess the suitability of the provisions to protect the tank: if we could rationalise those provisions, then from the conclusion setting the safety target and following from that looking at the details specification of TSI or UITP.

Additionally, a lot of physical testing is foreseen, but more and more provisions are currently developed in EU standards for virtual testing and certification, with sophisticated methods; simulation is another aspect that we could investigate further.

69. UIP: I support your idea. Today I am not allowed to mount a strong shield to protect a tank as substitution of crash buffer that cannot be mounted in intermodal cars, which are not strong enough. If we follow the idea, we would have a system view of the problem.
70. BE: if we define the associated safety criteria, we should also associate the criteria for the verification for the assessment bodies.
71. OTIF: looking at the conclusions of RID/ATMS working groups, the task of this group is to define the protection objective of vehicles. So the work can be prepared in other groups but should be reviewed by this group. Additionally, this is also linked with TSI and UTP that eventually may have the technical provisions to check those rules.
72. UIP: we do not discuss the level of safety, I agree with BE, we need to define the technical system but the idea is to have it in standards or TSI. So ERA should start the project as they did with DDD, to have concrete wording in TSI. In addition, we will have to treat the digital Automatic coupling
73. Chair - Conclusion: the target should be first discussed at RID, then the subject should be brought back to this group and eventually given to ERA for TSI/UTP inclusion.

4 c - Operation and maintenance: telematics and the TAF TSI

ITEM 6: 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 Rapporteurs: DE, FR

Document: INF 3 and INF 6 (Germany) and report on progress at DTLF (France).

74. *There are parallel activities within DG-MOVE (eFTI Regulation), ERA and the Joint Meeting informal working group on telematics. Coordination and an overview of the various activities and timelines will be necessary. Guidelines for the use of RID/ADR/ADN 5.4.0.2 have already been adopted by the Joint Meeting in September 2019 and by the standing working group in November 2019.*
75. CEFIC: we now have a solution that we really want to implement.

76. CER: this project is based on EFTI (Electronic freight transport information), which is inter-modal.

4 e - Operation and maintenance safety responsibilities

ITEM 8: Safety responsibilities of the actors as defined in Directive 2008/68/EC and Chapter 1.4 of RID, in relation to new Safety Directive (EU) 2016/798. Rapporteur: UIP

Introduction: UIP to report on the outcome of the Joint Network Secretariat (JNS).

77. Chair: a verbal report is foreseen on ITEM 8 safety responsibility of actors and on the outcome of the work of the JNS.
78. UIP: it was expected that JNS who is dealing with the issue since the accident in Denmark would have met between our last meeting in September 2019 and today; unfortunately, the meeting in June and May were cancelled. There is nothing new to report, but there are lots of documents available from EU and RID side, on the responsibilities and maintenance. The documents are from 2014 and 2016. Yesterday the Agency agreed for a new date of JNS in October. After it, I should be able to present some preliminary results on this topic of operation and maintenance and so that we can look at possible gaps between what is defined in EU legislation and what in RID chapter 1.4.

This subject is very broad, there are also CSM activities ongoing for assessment of safety level and safety performance at ERA, therefore other inputs will be available in the coming months.

79. UIC: UIC presented a paper to RID on the safety responsibilities which goes beyond maintenance. This document is for the most part still relevant and we can review it.

It is the document INF9 at the 7th meeting of the standing working group RID which happened in November 2016 in Prague, where UIC presented it.

ITEM 3: OTHER input since 2017: BASF study on extra-large tank-containers Rapporteur: CEFIC

Introduction: Presentation by CEFIC on the results of a risk assessment on extra-large tank-containers carried out by the Technical University of Berlin.

80. CEFIC gave a verbal update on the subject: *“BASF Class Tank-Container (B-TC) are extra-large tank containers for intermodal transport, combining the advantages of the volume of conventional rail-tank cars and the flexibility of ISO Tank-Containers. Being part of a new logistics-concept by BASF, which also contains especially designed container carrying wagons for the main leg rail transport of the B-TC, autonomous guided vehicles for the first and last mile road transport and a fully automated storage yard, aims of the improve efficiency in the rail transportation of liquid chemicals.*

Being topic of the 8th Session of the RID Committee of Experts' standing working group (Utrecht, 24th & 25th of November 2017), the Inter-Governmental Organization for International Carriage by Rail (OTIF) requested more details and information of the new system. Following this request, BASF promised to conduct a voluntary Risk-Assessment (RA) in accordance with the common safety method for risk evaluation and assessment, which is established in the European regulation (EU) 402/2013.

As part of this voluntary RA in accordance with the EU CSM Directive ((EU) 402/2013), BASF compared the new system consisting of the B-TC and iCTW, to two existing rail transportation systems. The conventional rail tank car (RTC) and the intermodal tank container (TC) traffic were considered as reference systems.

Following the risk management process, various scientific approaches such as measurements, simulations and calculations were carried out in collaboration with the Technical University of Berlin (TUB). Based on identified hazards by BASF and TUB rail experts, the scientific approaches to assess the safety level of the new system included; short- and long-term driving tests, impact-tests, data gathering during driving and impact-tests for multi-body and finite element simulations.

The aim of the RA was to determine the safety level of the new system, in comparison to the reference systems. Furthermore, the gained results and insights are obtained to assess if regulations for the transport of hazardous goods should be adjusted.

Based on the conducted trials, tests and analysis it can be stated, that the B-TC reach an equivalent safety level in comparison to the two reference systems, whereas for certain scenarios (e.g. side impact) a higher safety level could be reached.

The results of the Risk-Assessment were presented to the RID Committee of Experts' Working Group on Tank and Vehicle Technology in Ludwigshafen (14 and 15 October 2019) and further discussed during the RID Committee of Experts' Standing Working Group (Vienna, 25 to 28 November 2019).

Further specialized discussions are expected to follow at the RID Committee of Experts' Working Group on Tank and Vehicle Technology (6 and 7 October 2020).

Further information on the topic and contacts to BASF (Thorsten Bieker / General Project or Marc Schröder / Risk-Assessment and B-TCs) can be retrieved via the informal and working documents of the RID Committee of Experts' Standing Working Group, or Working Group on Tank and Vehicle Technology on the OTIF website."

- 81. Chair: another document to update INF8 submitted to that standing working group meeting
- 82. DE: DE is working on it but the document is not yet finalised.

4 d - Operation and maintenance process and rules

ITEM 7: Introduction of the concept of the entity in charge of maintenance (ECM) in RID 2017 Rapporteur: ERA, OTIF Secretariat

- 83. *Introduction: 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 legal areas. This subject may require coordination in the future. Presentation on the updates in RID 2021.*
- 84. Chair: ECM was added to RID 2021
- 85. OTIF: We have a definition of ECM in RID, and in the 2021 amendments to RID we adapted the footnote of that definition to the EU directive. This point was positively welcomed by ERA.
- 86. COM: very positive, point solved
- 87. Chair: good coordination between the 2 parties.

5 c - Coordination processes between RID and general railway legislation. For national rules and their legal justification (RID/Railway Safety Directive) and possibilities of either harmonising or removing them.

ITEM 10: 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. In general, national requirements are not helpful for international harmonisation and the aim should therefore be to harmonise them or to remove them.

88. *Introduction: The JCGE could help in harmonising national rules which have their origin in the two legal areas (e.g. RID and the Safety Directive/national safety rules) or could give advice on removing them on the basis of one of these legal areas.*

89. Chair: Rapporteur is confirmed to be UIC

90. UIC: UIC cannot yet deliver a document for various reasons. National provisions are different from national rules, which are subject to railway legislation. UIC has no mandate to act on this field. In view of the difficulties encountered by its members, in particular the RUs, the UIC proceeded to identify and analyse "national provisions" existing on the various rail networks. These provisions can complicate and hamper international traffic.

They concern:

1. Safety advisers
2. Training in different States
3. Train composition
4. Information given by IMs and RUs in relation to DG for train operation
5. Risk evaluation

Points 1 and 2: Similar subjects have sometimes been discussed for other land modes. The differences in the training and missions of security advisers were, for example, discussed during a meeting of the Joint Meeting (OTIF / UNECE). The conclusions of the meeting that the existence of differences between national provisions in this area do not create a problem for international traffic.

Point 3: Train composition: on certain networks in Europe, there are historical national provisions such as the installation of "buffer wagons" between the locomotive and the first dangerous goods wagon. Such measures are taken in addition to the regulatory requirements of RID for explosives of class 1 DG. These provisions are gradually being eliminated, with the alignment of the countries on RID.

The European Commission and ERA have taken action for rail transport to clean up national rules which are obsolete or no longer comply with EU law, in cooperation with Member States and the ANS. The national rules can be consulted in the NOTIF-IT database of the European Commission. However, this database does not cover all national provisions for the transport of dangerous goods. A precise and detailed consultation is also difficult because of the lack of mastery of national languages.

UIC noted that historic national provisions regarding train composition have mostly been dropped and only a few still exist in some countries. However, we note that new national provisions have been added within the framework of new constraints imposed by States or infrastructure managers. These constraints are often justified by considerations of protection of the natural or urban environment, but also by civil security requirements. These national provisions which should be regarded as "national rules" within the meaning of railway legislation are based on the results of risk assessments. There are no harmonized risk acceptability criteria.

Point 4: Certain national provisions concern the information relating to the DG: when a train crosses Europe, the information which the RUs have to provide may change during the journey. The same wagon going from France to Poland can be routed by different RUs, and the

list of information to be provided can change. The implementation of telematics should gradually harmonize the information to be provided. The information provided to drivers is essentially the same. This is not the case for competent authorities and infrastructure managers.

The scope of the UIC study therefore covers "national rules" within the meaning of EU legislation. They constitute a subset of "national provisions" which correspond to a broader definition. It is important to note that the study carried out by the UIC does not have a priori unfavourable against the existence of national provisions. A national provision does not necessarily have a negative impact on train traffic.

The UIC study has not been published for the reasons outlined above. The UIC RID expert group has avoided interfering with the work undertaken by the European Commission and by the competent authorities of the States.

Point 5: Finally, the UIC notes a growing risk of the appearance of new national provisions liable to hamper the free movement of trains. This risk is paradoxically linked to the implementation of common security methods (CSM) and Regulation (EU) 402/2013 on risk assessment and assessment. The absence of harmonized risk acceptability criteria favours this situation. The relationship between chapter 1.9 of RID (Restriction of transport) and the railway legislation is rather difficult to understand and master.

The new arrangements are not necessarily taken by the Competent Authorities. They are done by the operators themselves, who are required to assess the risks. Applying RID regulations to ensure the safety of DG transport is no longer sufficient. When a risk is deemed unacceptable, the operator is legally bound to take measures to reduce it to an acceptable level. There is thus an increase in the measures taken by operators to protect themselves against possible criminal prosecution in the event of an accident.

91. COM: COM is interested in having the results of UIC, as they could contribute to the ongoing revision of national rules.

Agenda item 4: Update of priority items

91. The group reviewed the list of priority items and updated the table. The last columns provided more detail on the latest development and next steps. The new version was updated in track changes during the meeting. (See also OTIF/RID/CE/JCGE/2019-B/Add.1)

Agenda Item 6: Any other business

92. None

Agenda item 7: next meeting dates for 2020

93. The group agreed to hold the next JCGE meeting in Bern or virtual from 7 to 8 September 2021. The beginning of the meeting on 7 September will be fixed at 14:00 pm, and the end of the meeting on 8 September at 13:00.

Annex I**I. Gouvernements / Regierungen / Governments****Allemagne/Deutschland/Germany**

Mme/Fr./Ms Gudula **Schwan** Delegationsleiter
Referatsleiterin
Bundesministerium für Verkehr und digitale
Infrastruktur (BMVI)

M./Hr./Mr. Alfons **Hoffmann** Sachbearbeiter
Bundesministerium für Verkehr und digitale
Infrastruktur (BMVI)

M./Hr./Mr. Valeri **Voth** Referent für präventive Fahrzeugüberwachung
Eisenbahn-Bundesamt

M./Hr./Mr. Philipp **Unger** Sachbearbeiter
Eisenbahn-Bundesamt

Autriche/Österreich/Austria

M./Hr./Mr. Othmar **Krammer** Leiter der Gefahrgutabteilung
Bundesministerium für Klimaschutz, Umwelt,
Energie, Mobilität, Innovation und Technologie

Belgique/Belgien/Belgium

Mme/Fr./Ms Caroline **Bailleux** Ingénieur, Expert RID/matériel roulant
Service public fédéral Mobilité et Transports
Service de Sécurité et Interopérabilité des
Chemins de Fer

M./Hr./Mr. Luc **Opsomer** Ingénieur, Expert matériel roulant ferroviaire
Service de Sécurité et d'Interopérabilité des
Chemins de Fer

Finlande/Finnland/Finland

M./Hr./Mr. Jouni **Karhunen** Special Adviser
Finnish Transport and Communications Agency
Traficom

France/Frankreich/France

Mme/Fr./Ms Ariane **Roumier** Chargée de mission
Direction Générale de la Prévention des Risques
Service des Risques Technologiques
Sous Direction des Risques accidentels Minis-
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