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11TH SESSION

Report from the Committee of Technical Experts' standing working group Technology (WG TECH)

Sessions 32, 33 and 34

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1. TASKS FOR THE WG TECH FOLLOWING THE 10TH SESSION OF THE COMMITTEE OF TECHNICAL EXPERTS (JUNE 2017)

The Committee of Technical Experts (CTE) 10, which was held on 13 and 14 June 2017, discussed and approved the document entitled "Work programme 2017/2018 for the CTE and its standing working group". In accordance with the results of the discussion, the technical interoperability department of the OTIF Secretariat focused its activities on the following priorities:

Working within a coordination framework with the European Commission's Directorate General for mobility and transport (DG MOVE) and the European Union Agency for Railways (ERA), thus enabling OTIF to influence developments of mutual interest that are initiated in the EU. It is worth mentioning here that in addition to the joint ERA/OTIF registers for VKM and ECM, a joint OTIF/ERA register on CSM Assessment Bodies has been established (circular letter to the non-EU OTIF CS TECH-17047 dated 10 January 2018).

General roadmap for the development of technical interoperability regulations, where OTIF's technical interoperability department would focus its activities on the following priorities:

- Preparation of amendments to APTU and ATMF in order to ensure, where relevant, continued compatibility between these provisions and the **EU's fourth railway package**. The decisions concerning these amendments are in the competence of the Revision Committee.
- Development of a draft proposal for a new Appendix H to COTIF concerning the safe operation of trains in international traffic, with a view to **facilitating interoperability**.
- Facilitating the exchange of (passenger) vehicles in international traffic, by ensuring that a set of harmonised **inter-vehicle requirements for passenger coaches** is available at international level.

Revision of and amendments to existing rules that ERA is currently working on and which could affect equivalence with COTIF:

- The possible extension of the scope of the ECM[1] regulation so as to cover not only the certification of ECMs for freight wagons, but also ECMs for other types of vehicles
- WAG TSI amendments, (in particular closing the open points)
- LOC&PAS TSI amendments (in particular closing the open points and unique authorisation of certain types of vehicles)
- The development of the European Vehicle Register (EVR) (which affects National Vehicle Register specifications applicable at the OTIF level)
- The development of a process for ERA to monitor the performance of NoBo (whether and how these developments should be reflected in COTIF provisions and/or recommended practices for authorities in non-EU OTIF CSs).

Keeping a watch on the application of technical provisions. The Secretariat supports non-EU Member States in implementing the technical provisions correctly. This is done by issuing explanatory documents, dissemination of information and training.

Interdisciplinary coordination to ensure that there is no inconsistency between RID and APTU/ATMF.

[1] ECM stands for Entity in Charge of Maintenance and the provisions concerning the certification of freight wagon ECMs are set out at OTIF level in Annex A to ATMF and at EU level in Commission Regulation (EU) No 445/2011.

2. WG TECH'S ACTIVITIES AFTER THE 10TH SESSION OF THE COMMITTEE OF TECHNICAL EXPERTS

The standing working group technology (WG TECH) held three meetings:

- 32nd meeting on 12 and 13 September 2017 in Brussels
- 33rd meeting on 5 and 6 December 2017 in Bern
- 34th meeting on 6 and 7 February 2018 in Belgrade[2].

Delegations from the following 7 Member States took part in the meetings:

Bosnia-Herzegovina, France, Germany, Italy, Romania, Serbia and Switzerland.

The European Commission's DG MOVE, ERA and OSJD and the international non-governmental organisations CER, GCC, NB-Rail, UIC, UIP and UNIFE were also represented at the meetings.

3. THE FOLLOWING DOCUMENTS WERE PREPARED FOR ADOPTION BY THE CTE:

UTP GEN-B

(Discussed at the 32nd, 33rd and 34th meetings)

Following the discussion at WG TECH 31 about the reasons for the difference between COTIF and EU provisions in the UTP GEN-A (essential requirements) and in connection with CTE 10's request to analyse whether the definition of the subsystem infrastructure in the UTP GEN-B (subsystem) should explicitly include bridges as part of the infrastructure subsystem, the OTIF Secretariat prepared the required analysis (TECH-17036) and submitted for discussion at WG TECH 32. The analysis showed that since COTIF and EU law had different aims and scopes, the infrastructure had been included in COTIF only as far as the interface with the vehicle is concerned. Furthermore, the APTU and UTPs could include infrastructure, fixed installations and operational prescriptions if this were necessary for international traffic. However, these binding rules should be limited so as to facilitate international traffic only. The WG TECH agreed that the UTP GEN-A is correct and complete and did not need to be modified. With regard to the UTP GEN-B the WG TECH suggested to simplify the text by deleting the last sentence of both points 2.1 and 2.2 as follows:

"2.1 COTIF includes infrastructure ~~only~~ to the extent related to interfaces with the vehicles. ~~Therefore, the infrastructure subsystem only includes the track and points.~~

2.2 COTIF includes the energy system ~~only~~ to the extent related to interfaces with the vehicles. ~~Therefore, the energy subsystem only includes the overhead lines (catenary) and the quality of the power supplied.~~"

WG TECH 33 discussed the modification of UTP GEN-B and suggested also to include the following editorial amendment:

"2.3 COTIF includes the trackside control-command and signalling ~~this only~~ to the extent related to the interfaces with the vehicles.

WG TECH 34 agreed that the draft modification of UTP GEN-B was ready to be submitted to CTE 11 for adoption.

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2 On the first day the WG TECH meeting was attended by the experts and representatives of countries participating in the EUMedRail project (South Mediterranean region), IPA Representatives and the EU delegation in Belgrade.

4. WG TECH DISCUSSED THE FOLLOWING SUBJECTS:

4.1. DRAFT STRATEGY CONCERNING THE DEVELOPMENT OF UTP(S) COVERING INFRASTRUCTURE

(Discussed at the 33rd and 34th meetings)

WG TECH 32 discussed the possible development of the UTP requirements concerning infrastructure. It agreed to initiate development of these requirements and requested the OTIF Secretariat to prepare a draft strategy about the principles for developing the UTP INF, which would also include time planning.

The draft strategy paper was discussed at WG TECH 33. The strategy noted that there was a legal basis in COTIF to include infrastructure requirements, but limited to the interfaces with vehicles. Bearing in mind that there is no one-size-fits-all solution when it comes to infrastructure specifications, the strategy suggested that simply transposing TSIs into UTPs would probably not be the best way forward. The TSIs would however constitute a good starting point. WG TECH 33 requested some modifications to the document and noted that although important, the process of developing infrastructure requirements was not urgent.

WG TECH 34 agreed on some additional modifications to the document, in particular the deletion of data collection and cataloguing and updating the list of aims. It also noted that further activities would not be agreed until ERA´s list of route compatibility parameters became available (provisionally in the course of 2018), after which the list would be checked for completeness and other (non-EU) parameters would be incorporated if necessary. WG TECH would then start developing COTIF infrastructure provisions on the basis of the TSIs. With regard to the initial discussion as to whether the provisions related to infrastructure should be binding or non-binding, WG TECH 34 noted that binding provisions may be the most useful, but there was some doubt as to the legal basis for this in COTIF.

CTE would be asked to agree with the proposed scope and aims of the infrastructure requirements as stated in the strategy and to mandate WG TECH further to develop proposals for suitable and feasible provisions concerning infrastructure.

4.2. FEASIBILITY OF THE DEVELOPMENT OF REGISTERS TO CHECK COMPATIBILITY BETWEEN TRAIN AND INFRASTRUCTURE

[THE DEVELOPMENT OF THE REGISTER OF INFRASTRUCTURE (RINF)]

(Discussed at the 32nd, 33rd and 34th meetings)

When a vehicle is going to be used internationally, ATMF prescribes that RUs are required to check route compatibility between vehicles and relevant infrastructure. The procedure of compatibility checks is not regulated in COTIF, so each state is assumed to have its own rules and procedures and, if necessary, registers for checking compatibility between vehicles and infrastructure. This might be changed with the introduction of the new Appendix H to COTIF, in which case a register of infrastructure would become useful or even necessary.

WG TECH 32 indicated that it was necessary to investigate in more detail the possible introduction of the European Register of Infrastructure (RINF) within OTIF, particularly with a view to possible developments concerning Appendix H. The OTIF Secretariat was asked to prepare, in cooperation with ERA, a feasibility paper about the development of RINF.

WG TECH 33 discussed the feasibility paper *on developing parameters, procedures and registers to check the compatibility between the train and infrastructure*. WG TECH agreed that it may be better to develop registers which support the railway undertaking (RU) in checking compatibility between vehicles and infrastructure, particularly the infrastructure register. Such registers should, however, be developed gradually and carefully and most delegates agreed that there is no urgent need. It was also noted that the architecture of an OTIF register and whether hosting should be central or local should be carefully considered.

WG TECH 34 noted that this topic is linked to the discussion on infrastructure requirements and that CTE 11 should agree with the proposed aims and mandate WG TECH to follow closely the development of these compatibility parameters, which will be first developed within the EU in 2018 and after that, should be checked by non-EU MS to ascertain whether additional parameters are needed.

4.3. DRAFT EXPLANATORY DOCUMENT CONCERNING THE PROCEDURE FOR URGENT UTP MODIFICATION

(Discussed at the 32nd and 33rd meetings)

At the 10th session of the CTE there was a short discussion concerning the possibilities with regard to urgent modifications to UTPs if safety-relevant gaps or errors are identified. The OTIF Secretariat carried out an analysis which was discussed at WG TECH 32 (TECH-17038). In order to provide an overview of the whole process in one single document, WG TECH 33 amended the document by adding the conditions on organising an extraordinary session of the CTE. WG TECH 33 discussed the amended document (TECH-17038 version 2) and decided to submit it to the CTE 11 as an explanatory document for APTU, with a view to publishing it on OTIF´s website.

4.4. IMPLEMENTATION OF THE UTP TAF IN THE NON-EU OTIF CONTRACTING STATES

(Discussed at the 32nd meeting)

Based on the task given by CTE 10, the OTIF Secretariat had prepared document (TECH-17020) concerning implementation of the new UTP Telematics Applications for freight services (TAF). The purpose of the document was to help CSs implement TAF, particularly by explaining the following:

- Establishment of the company reference file, i.e. the process of allocating organisation codes
- Task of the stakeholders (organisations)
- Appointment of a national contact point (NCP)
- Representation of the non-EU OTIF CS and their involvement in the work of relevant governance bodies and in the development of the TAF requirements

WG TECH noted that the document provided useful information for the non-EU OTIF CS. However, the EU was still discussing the modification of Article 2.2 of TAF TSI. Once Article 2.2 of TAF TSI had been updated in the EU in light of the discussion, the document should be updated accordingly and published as an explanatory document for the UTP TAF.

4.5. FUTURE DEVELOPMENT OF VEHICLE ADMISSION REQUIREMENTS

WG TECH 32 discussed some of the legal concepts that have been taken over in COTIF from EU law. The question was whether these concepts serve a purpose in COTIF, other than to ensure alignment with EU law, or whether they add unnecessary complexity and could be omitted.

The concepts subject to analyses were certification and declarations of ICs and subsystems.

The discussion was continued at WG TECH 33.

Following the discussion at WG TECH 33, OTIF Secretariat investigated further the potential to simplify the provisions and procedures for vehicle admission and published its findings in a new document including general aims as well as detailed proposals. WG TECH 34 did not review the detailed proposals and concluded that the general aims should be agreed firstly, before discussing proposals for improvement in detail. The Secretariat was requested to modify the document for this purpose and present it to the CTE.

4.6. CROSS REFERENCE TABLE "EU" AND "OTIF" TERMINOLOGY

The table was first introduced at WG TECH 32. The idea of a table was introduced by the EC when analysing the impact of the fourth railway package on COTIF (WG TECH 30, 16-17 November 2016). The purpose of the table was to help those who work with COTIF and EU law in the field of vehicle admission and maintenance processes. The terminology table listed several different terms and their meanings, bearing in mind the different wording relevant to the technical requirements for rolling stock that apply in OTIF and the EU. WG TECH welcomed the document and noted that the table would be updated regularly as a working document of WG TECH.

4.7. EU - OTIF EQUIVALENCE TABLE

WG TECH kept the equivalence table up to date and highlighted its value to the railway sector and as a tool for checking equivalence between OTIF and EU legislation.

4.8. DRAFT AGENDA FOR THE 11TH SESSION OF THE CTE

WG TECH reviewed and approved the provisional agenda for CTE 11 based on a proposal from the OTIF Secretariat.

5. PRESENTATIONS GIVEN BY MEMBER STATES AND ORGANISATIONS AT WG TECH MEETINGS

5.1. DEVELOPMENTS IN EU REGULATIONS WHICH MAY AFFECT EQUIVALENCE WITH COTIF AND DISCUSSION ON NEXT STEPS

5.1.1. GENERAL OVERVIEW

(Discussed at the 32nd and 33rd meetings)

The European Commission presented the progress report on the implementation status of the EU´s fourth railway package. The following subjects had been and would be discussed and voted on in the EU at Railway Interoperability and Safety Committee (RISC) meetings: ENE TSI, LOC&PAS TSI and TAF TSI (to be discussed at RISC 81, planned to be held in January 2018), followed by the TAP/TAF TSI (change of the procedure), PRM TSI and EVR (at RISC 82, June 2018), NOI TSI (to existing wagons) and RINF (at RISC 83, November 2018), LOC&PAS TSI, WAG TSI, CCS TSI, OPE TSI and INF TSI (links with RST) (at RISC 84, January 2019), and lastly, PRM TSI, SRT TSI and NOI TSI (at RISC 85, April 2019).

5.1.2. VEHICLE AUTHORISATION UNDER THE FOURTH RAILWAY PACKAGE

(Discussed at the 33rd and 34th meetings)

The European Commission informed WG TECH that the draft implementing regulation on practical arrangements for vehicle authorisation[3] has received a positive vote from the EU MS at RISC 80. In addition, ERA explained that it would appoint project managers for the vehicle authorisation cases, to steer the process of vehicle authorisation at ERA´s level.

The new regime for vehicle authorisation and the single safety certificate would apply in the EU from 16 June 2019.

5.1.3. EXPLANATORY NOTE CONCERNING THE CONCEPT OF "AREA OF USE" IN THE CONTEXT OF THE FOURTH RAILWAY PACKAGE

(Discussed at the 33rd and 34th meeting)

[3] http://ec.europa.eu/transparency/regcomitology/index.cfm?do=search.documentdetail&Dos_ID=15207&DS_ID=53819&Version=2

WG TECH 33 noted that the term "area of use" had been introduced into the proposals for modifications to ATMF submitted to the 26th Revision Committee for adoption. The discussion taking placed at EU level would not affect equivalence between EU law and these proposals for modifications to ATMF.

ERA presented to the WG TECH 34 its common position on the concept "area of use", i.e. that this concept covers both a technical and a geographical component; technical in the sense that it refers to networks and that a network is defined by a common set of rules (and not by the detailed technical characteristics), and geographical in the sense that a network is located in one or more states.

5.2. ERA ACTIVITIES AND DEVELOPMENTS WHICH RELATE TO THE ACTIVITIES OF OTIF

5.2.1. NOISE ABATEMENT POLICY

(Discussed at the 32nd meeting)

Following the EC´s request to revise NOI TSI with the aim of extending its application to existing wagons, ERA set up a Task Force (TF) to examine the feasibility of applying the NOI TSI to existing wagons. The TF had finished its work in May 2017 and was followed by the two ad-hoc dedicated workshops on noise. The first meeting of the working party which would actually draft proposals for the revision of the NOI TSI took place on 18 October 2017.

The OTIF Secretariat informed WG TECH 34 of the position paper it intended to issue in the context of the ERA consultation on the revision of the TSI Noise.

5.2.2. VEHICLE-RELATED REGISTERS

(Discussed at the 32nd and 33rd meetings)

ERA informed WG TECH about the relevant findings of its project on the "Rationalisation of Vehicle Related Registers" (RVRR). In order to draw up the recommendation, ERA had set up a working party on EVR. WG TECH was also informed about the four clusters of functions covered by EVR:

- Data search and consultation function (DSC function),
- User creation and administration function (UCA function),
- Reference data administration function (RDA function), and
- Application, registration, and data storage functions (ARS functions).

It was explained that ARS functions can be centralised or decentralised and that the National Vehicle Register (NVR) of the non-EU OTIF CS should be connected to the DSC function.

This work was linked to the COTIF specifications for the National Vehicle Register (NVR 2015). WG TECH 33 noted that NVR Decision 2007/756/EC (NVR 2015) would be replaced by the EVR Act, and would be repealed from 16 June 2021.

5.2.3. ECM REGULATION – EXTENDING THE SCOPE

(Discussed at the 32nd and 33rd meetings)

ERA informed the WG TECH 32 about the status of the revision of the ECM Regulation[4]. After receiving a mandate from the EC, ERA had set up a working party to revise the ECM Regulation. Among other tasks, the working party had to examine the feasibility of extending the scope of the certification of the ECM to all vehicles[5] and certification of maintenance workshops to all vehicles.

[4] The certification process for ECMs for freight wagons in COTIF is governed by ATMF Annex A, which, since 1 May 2012, is fully equivalent with the EU´s ECM Regulation 445/2011

[5] Each vehicle used internationally (not only freight wagons) in the scope of COTIF must have an ECM assigned to it. Currently, only the ECMs for freight wagons must be certified in accordance with the ECM regulation.

Since this activity would affect equivalence with ATMF Annex A, the WG TECH followed this work closely.

ERA would send a recommendation to the EC by May 2018.

The OTIF Secretariat informed WG TECH 34 of the position paper it intended to issue in the context of the ERA consultation on the revision of the ECM regulation.

5.2.4. REVISION OF THE LOC&PAS TSI AND WAG TSI

(Discussed at the 32nd and 34th meetings)

ERA presented a status update and the main elements of the limited revision of the LOC&PAS and WAG TSIs, which includes the addition of certain new provisions in accordance with the fourth railway package particularly by defining the interfaces between vehicles and routes relevant to railway undertakings in checking route compatibility, and by including a definition of which modifications to vehicles would be considered as an upgrade or renewal.

WG TECH 33 was informed that small amendments are envisaged to the LOC&PAS TSI and ENE TSI concerning energy metering.

5.2.5. STATUS OF DEVELOPMENT AND USE OF THE REGISTER OF INFRASTRUCTURE (RINF) IN EU

(Discussed at the 33rd meeting)

ERA informed WG TECH about the status of development of the RINF in the EU, i.e. its purpose and principles. The intention of RINF is to become the central database and to provide information about the main features of the European railway infrastructure. Responsibility for the accuracy of RINF data lies with the EU MS. WG TECH was also informed about the ongoing process of the RINF revision through the relevant ERA working party, with the aim of achieving compatibility checks in the future. ERA would send a recommendation to the EC by June 2018.

WG TECH 33 noted the information from ERA.

5.2.6. EU MED RAIL PROJECT

(Discussed at the 33rd meeting)

ERA informed WG TECH about the tasks and organisation of the EUMedRail-Project. The project had been founded by the EC and assigned to ERA for implementation. ERA had focused on technical assistance to railways, with a view to promoting harmonised railway regulations for the development of an integrated, safe and efficient transport system in the South Mediterranean region.

The WG TECH noted the information.

In parallel with the WG TECH 34, on 6 and 7 February in Belgrade, ERA organised an EU MedRail workshop entitled “International Railway Legislation” focusing on COTIF appendices and their practical use for the South Mediterranean region, with the aim of raising awareness of OTIF, increasing knowledge of railway law and facilitating cross border (international) traffic. The workshop participants attended the WG TECH 34 on the first day.

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