



ORGANISATION INTERGOUVERNEMENTALE POUR LES TRANSPORTS INTERNATIONAUX FERROVIAIRES  
ZWISCHENSTAATLICHE ORGANISATION FÜR DEN INTERNATIONALEN EISENBAHNVERKEHR  
INTERGOVERNMENTAL ORGANISATION FOR INTERNATIONAL CARRIAGE BY RAIL

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**Secrétaire général  
Generalsekretär  
Secretary General**

**A 92-03/509.2015**

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

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**NOTIFICATION**

of Regulations amended by the 8<sup>th</sup> Committee of Technical Experts in accordance with Appendix F (APTU) and G (ATMF) to the Convention

I am pleased to be able to notify you that at its 8<sup>th</sup> Session on 10 June 2015 the Committee of Technical Experts adopted the following regulatory changes:

UTP NOI Doc: CTE8/5.1	SUBSYSTEM ROLLING STOCK <b>NOISE</b>	<i>revision</i>
ATMF Annex A Doc: CTE8/5.2	UNIFORM RULES <b>CERTIFICATION AND AUDITING OF ENTITIES IN CHARGE OF MAINTENANCE (ECM)</b>	<i>amendment</i>
UTP WAG Doc: CTE8/5.3	SUBSYSTEM ROLLING STOCK <b>FREIGHT WAGONS</b>	<i>amendment</i>

The three OTIF language versions of these adopted documents have been placed on the OTIF website under Technology/Notifications.

### **Brief explanation of the amended regulations**

The revised **UTP NOI** was adopted by CTE 8 on the basis of a proposal prepared by WG TECH. The adopted document is fully equivalent to the European Union's Commission Regulation (EU) No 1304/2014. This new UTP NOI repeals the existing UTP NOI, which entered into force on 1.12.2012. However, the version that entered into force on 1.12.2012 may continue to be applied in accordance with the provisions set out in Chapter 7 of the revised UTP NOI. The revision comprises the following changes:

- Requirements cover not only conventional, but also high speed rolling stock
- Applicable to all vehicles in the scope of the UTP WAG and UTP LOC&PAS
- Additional limit values introduced for intermittent (main air compressor) and impulsive (air exhaust valve) noise
- References to EN/ISO 3095, which replaces prEN content in the Appendix.

**ATMF Annex A** was amended by adding the "Maintenance functions certificate" template in Annex V. This amendment will prevent possible confusion between ECM Certificates and Maintenance Function Certificates. In addition, a small number of editorial amendments were adopted, which do not affect the substance of the ECM Rules.

**UTP WAG** was updated with minor amendments to certain appendices, following similar updates in the EU legislation. The reference to the list of fully approved composite brake blocks for international transport in Appendix G to UTP WAG was updated so that it refers to the most recent list. In addition, an editorial mistake was corrected (for the position of the shunter handrails the dimension  $\geq 210$  mm was corrected to read  $\leq 210$  mm).

### Entry into force

In accordance with the second sentence of Article 35 § 3 of the Convention, these regulations will enter into force on the first day of the sixth month following this notification, i.e. on **1 December 2015**, unless the number of objections received (see below) invalidates the entry into force.

Member States which have made a declaration in accordance with Article 42 of the Convention that they will not apply Appendix F to COTIF 1999 will not be affected by the revision of UTP NOI or by the amendment of UTP WAG 2015, as long as their declaration is in force.

Member States which have made a declaration in accordance with Article 42 of the Convention that they will not apply Appendix G to COTIF 1999 will not be affected by the amendment of ATMF Annex A, as long as their declaration is in force.

### Objections

With regard to the revised or amended regulations that have been adopted, a Member State which, at the time of expiry of the deadline indicated below, applies the Appendix to the Convention in pursuance of which a regulation has been adopted, may, according to Article 35 §§ 4 and 6 of the Convention, formulate an objection to the adoption of the regulation within a period of four months from the day of the notification, i.e. in this case by **16 October 2015**, at the latest. The objection may concern the whole regulation or specific parts of it.

According to Article 38 § 3 of the Convention the EU may exercise the right of its Member States to submit an objection, in which case the EU Member States concerned may not object individually.

The consequences of an objection are indicated in Article 35 § 4. In most cases, an objection will jeopardise the unrestricted international circulation of railway vehicles out of the objecting State and in transit through it. If one quarter of the Member States object to a notified regulation, it will not enter into force.

According to Article 35 § 6 of the Convention, Member States which

- a) do not have the right to vote (Article 14 § 5, Article 26 § 7 or Article 40 § 4), or
- b) are not members of the Committee concerned (Article 16 § 1, second sentence), or
- c) have made a declaration in accordance with Article 9 § 1 of the APTU Uniform Rules

will not be taken into account when determining the number of objections.

**Confirmation of entry into force**

The definitive date of entry into force of a regulation or its rejection will be communicated to the Member States by a circular and published on the OTIF website shortly after the deadline for objections has passed.

I should like to use this opportunity to draw the Member States' attention to Article 26 of the Vienna Convention, which implies that for their national territory, the Member States concerned shall have brought into force the laws, regulations and administrative provisions necessary to comply with these regulations by the date of their entry into force, at the latest.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized 'F' followed by a long horizontal stroke that tapers to the right.

(François Davenne)  
Secretary General

The following international organisations and associations have received a copy of this circular for information:

- European Railway Agency (ERA)
- International Union of Railways (UIC)
- International Rail Transport Committee (CIT)
- International Union of Wagon Keepers (UIP)
- Organisation for Railways Cooperation (OSJD)
- Community of European Railway and Infrastructure Companies (CER)
- European Rail Freight Association (ERFA)
- Union of European Railway Industries (UNIFE)
- International Association of Public Transport (UITP)
- International Union of combined Road-Rail transport companies (UIRR)
- European Committee for Standardisation (CEN)
- International Association of Private-Sidings Users (IVA)