

**OTIF****ORGANISATION INTERGOUVERNEMENTALE POUR  
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES****ZWISCHENSTAATLICHE ORGANISATION FÜR DEN  
INTERNATIONALEN EISENBAHNVERKEHR****INTERGOVERNMENTAL ORGANISATION FOR INTER-  
NATIONAL CARRIAGE BY RAIL**

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## **Strategy and work programme for the Committee of Technical Experts for 2013 and 2014**

### **1. Results and priorities from the CTE 5<sup>th</sup> session**

On 22 and 23 May 2012, the CTE held its 5<sup>th</sup> session in Bern. The following documents, including the ‘freight wagon package’ (UTP WAG and UTP NOI), were adopted:

- UTP WAG Annex PP. The core text and other annexes had already been adopted at the 4<sup>th</sup> session of the CTE. After it was notified, the complete UTP WAG subsequently entered into force on 1 December 2012.
- UTP NOI: Rolling Stock – Noise. After it was notified, this subsequently entered into force on 1 December 2012.
- Uniform format of certificates (Design Type Certificate & Certificate of Operation). After it was notified, this subsequently entered into force on 1 December 2012.
- Amendments to the specifications for the National Vehicle Registers (NVR) were initially adopted in German and English only. The French version had to be reviewed in order bring the terminology into line with the corresponding EU regulation. The French version was adopted using the written procedure, after which the document was notified in all three languages and prepared for entry into force on 1 March 2013.
- Explanatory note to ATMF, Article 15 § 3 - “ensure or ascertain”. This was forwarded to the Revision Committee, which has the competence to adopt it as an explanatory note on ATMF.

At its 5<sup>th</sup> session, the CTE set the following priorities for OTIF’s technology section:

- Transposition of the TSI WAGONS (revised) into UTP. This task has been carried out with a proposal to be voted on in CTE 6 as a result.
- Dealing with errors in UTPs (coordinate the work between OTIF and EU). This task has been carried out. A process has been established, which will be presented to CTE 6 for information.
- Derogation rules. This task has been carried out. The result is a proposal to be voted on in CTE 6.
- Notification of national rules. The OTIF Secretariat has sent a circular letter with a new deadline for notification. This has not resulted in responses from the CSs.
- Registers. The OTIF Secretariat has established improved working relations with ERA and the European Commission in order to achieve cooperation in keeping registers.
- Implementing the ECM certification rules. The ECM rules have been in force since 01.05.2012 (OTIF Regulation A 94-30/1.2012). OTIF’s Technology Section undertook dissemination activities.
- Updated version of Annex PP (aim: in force on 1 January 2014). This task has been carried out in the context of the draft revision of the UTP WAG.

## 2. Structuring of activities

The tables in Annex 1 provide an overview of the mandated activities as set out in the Convention and indicate their respective status and developments foreseen in 2013/2014.

Nevertheless, the continuous development of new regulations will mean that a comprehensive implementation strategy will have to be defined. It will also include the existing regulations that need to be kept up-to-date and equivalent to their EU counterparts by revision and correction of errors.

The increasing amount of regulations also requires dissemination, particularly to assist non-EU Contracting States with the correct application of the OTIF regulations. The States themselves must also be relied upon to implement the UTP correctly. OTIF will then be able to monitor their activities for the common benefit of its Member States.

The technology section, assisted by OTIF's legal department, will therefore be working on four main types of activity from now on:

1: Revisions and amendments	2: Drafting	3: Dissemination and monitoring	4: Studies
<p>Regulations which have been adopted may need amendments to correct deficiencies, or may need to be revised, for example to maintain their equivalence with EU regulations. With increasing numbers of OTIF regulations, this activity is expected to intensify.</p> <p>This activity is coordinated within WG TECH.</p>	<p>New OTIF regulations are developed under this activity.</p> <p>This activity is coordinated within WG TECH.</p>	<p>The OTIF Secretariat will take initiatives to organise workshops and other types of meetings in order to explain the contents and correct application of OTIF regulations. These activities will focus on non-EU Contracting States.</p> <p>Linked to the dissemination is the monitoring of the (correct) implementation of the OTIF regulations.</p> <p>This activity is coordinated between the OTIF Secretariat and Contracting States or organisations. It will also include opinions and analysis from OTIF's legal department.</p>	<p>Carrying out activities in this pillar depends on the availability of resources, e.g. by taking on interns</p> <p>This activity is coordinated by the OTIF Secretariat.</p>
	<p>Application guide(s) for the existing regulations will be drafted. Where feasible this will be done in coordination with ERA<sup>1</sup></p>		

<sup>1</sup> The European Railway Agency

### 3. Proposed priorities after the CTE 6<sup>th</sup> session

In accordance with the structuring of activities set out in the previous section of this document, the following paragraphs describe planned activities in more detail.

#### Activity 1: Revisions and amendments

The UTP Noise should be revised to maintain equivalence with the revised TSI Noise (expected to be adopted in the EU in 2014).

UTP GEN-A (essential requirements) and UTP GEN-C (technical file) should be considered for amendment, with a view to the developments in the EU relating to these subjects.

#### Activity 2: Drafting

In order to define a strategy for the further development of UTPs, it is necessary to distinguish two different main models of international rail transport:

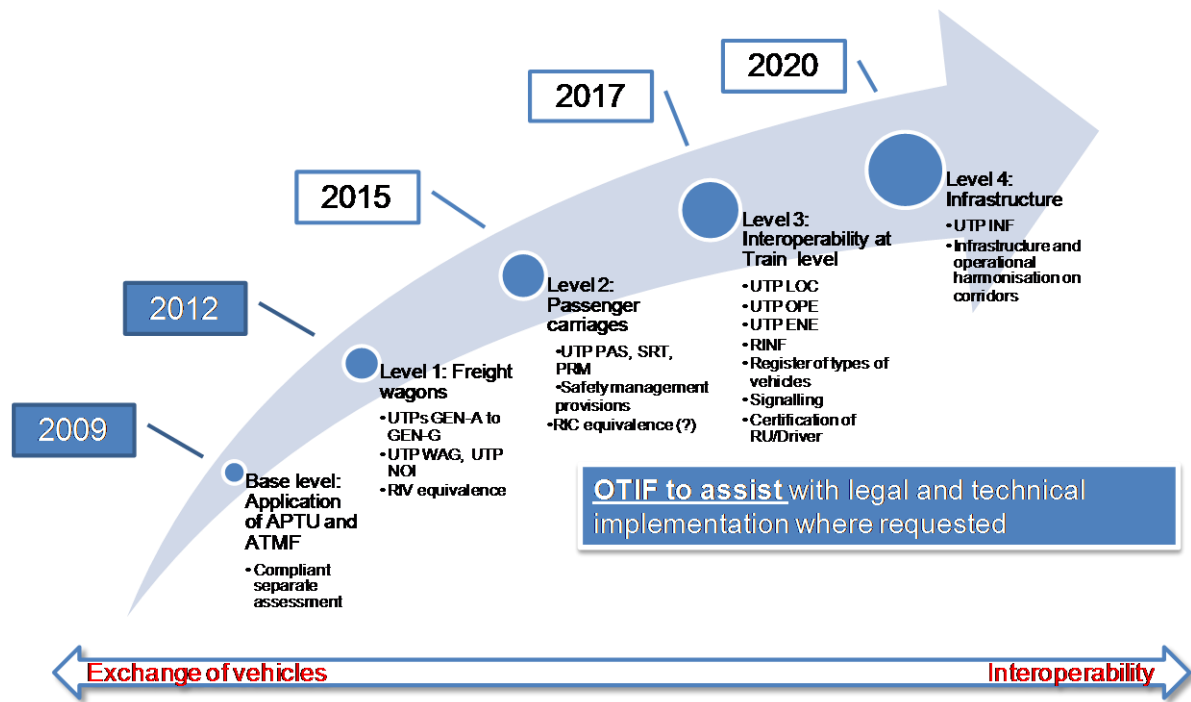
- The **interoperability model**, where trains cross borders without the need to reconfigure them at a border-crossing station. One train is operated by one rail transport undertaking in more than one country. This model requires a more or less liberalised rail system, where more than one rail transport undertaking has access to international lines.
- The **vehicle exchange model**, where trains are reconfigured at a border crossing station where the locomotive is changed, after which the incumbent rail transport undertaking will operate the train.

In principle, COTIF is compatible with both models.

The EU clearly implemented the interoperability model and all its TSIs are based on this model. In order for the COTIF ATMF principles to function properly, equivalence between EU TSIs and OTIF UTPs is required. Some of the EU TSIs are not compatible with the vehicle exchange model.

So far, the regulations for freight wagons have been developed in OTIF. These regulations are compatible with both models. By analogy, regulations for passenger carriages could be developed which would also be compatible with both models. If a next step were to be taken, e.g. regulations for locomotives, this could in principle only apply in the interoperability model. COTIF does not impose either model, but the development of regulations should not be hampered by those countries that use the vehicle exchange model. This means that countries that use the vehicle exchange model may choose not to apply some future UTP regulations.

The following diagram illustrates these principles and sets some indicative dates for the development of each level.



Level 1 on this diagram was established in 2012 and is compatible with both the interoperability and the vehicle exchange models. This will also be the case for Level 2, where the admission to international operations of passenger vehicles will be regulated. It will establish a set of rules allowing passenger carriages to cross borders.

For level 2 on this diagram the UTP PAS will be developed, incorporating all elements for the international exchange of passenger vehicles. In order to be compatible with EU regulations, it must include vehicle related elements from the SRT<sup>2</sup> TSI and PRM<sup>3</sup> TSI and in the absence of harmonised safety management system requirements, safety management provisions linked to the use of vehicles may need to be included in the UTP PAS.

With the entry into force in the EU of the LOC&PAS TSI, the new “RIC” coaches coming from outside the EU are no longer automatically authorised for “placing in service” in EU Member States. The UTP PAS may help to bridge this gap. During the drafting process, the feasibility of covering the 1520mm gauge, as well as the 1435 mm gauge, will be analysed. In line with the UTP WAG (Level 1), safety management provisions will need to be included in the UTP PAS in order to ensure the correct use of passenger carriages. In the EU, these elements are covered by the SMS<sup>4</sup> of each railway undertaking. Development of the UTP PAS will need to be based on the revised LOC&PAS TSI, a draft version of which was sent for consultation by OTIF to its non-EU Member States in June 2012. If feasible, the UTP PAS may include provisions similar to section 7.1.2 of the UTP WAG by providing voluntary technical solutions to close open points<sup>5</sup>. Applying these technical solutions would allow one admission for international operation to be valid in all Contracting States.

<sup>2</sup> Safety in Railway Tunnels

<sup>3</sup> Accessibility for people with reduced mobility

<sup>4</sup> Safety management system

<sup>5</sup> Primary focus will be on the 1435mm network, since for other gauge networks the EU regulations have open points for which no technical solution may be defined (in particular the future LOC&PAS TSI).

OTIF's technology section proposes that the CTE concentrate its regulatory developments along the lines indicated.

### Activity 3: Dissemination and monitoring

One of the key principles underpinning ATMF and APTU is the mutual trust between Contracting States that vehicles only receive one admission to international operation if all the requirements are fulfilled. Not only must the vehicle meet all the technical UTP requirements, but the conformity assessment itself must also be carried out in accordance with UTP GEN-D by an assessment entity meeting all the (independence) requirements as set out in ATMF Article 5 and UTP GEN-E.

If a Contracting State were to issue certificates without correctly applying all the relevant OTIF regulations, there is a major risk that this mutual trust would be jeopardised, with adverse consequences for international rail traffic. The OTIF Secretariat will therefore undertake activities to create a better overview of the implementation of ATMF in the non-EU Contracting States.

In order to assist the Contracting States, the OTIF Secretariat is offering its assistance where possible and considers it a priority to stay in close contact with persons responsible in each Contracting State. Dissemination of information is possible in several ways, such as workshops, seminars, bilateral meetings, improvement of the website, publications, etc. These activities will be focussed on the non-EU Contracting States.

### Activity 4: Studies

Pending the Administrative Committee's approval and if the budget allows, the OTIF Secretariat intends to establish a "Young Experts Programme" for young graduates to gain experience in OTIF, at the same time adding value to OTIF by carrying out studies. One of the priority studies for the technology section is summarised as follows:

Task	Description	Content
1	Exchange of information on railway operations	<ul style="list-style-type: none"> <li>- Create a full overview of all the technical and safety-related information that is exchanged for international rail freight traffic in relation to legal obligations and responsibilities</li> <li>- Analyse the correlation between the points above</li> </ul>
2	Strategy for OTIF's future involvement in the exchange of information	<ul style="list-style-type: none"> <li>- Create understanding of how the information under 1 is exchanged today, e.g. by registers, telematics applications, contracts, etc.</li> <li>- Analyse and report where OTIF could have added value by adapting its regulations, and/or promoting their use, in close coordination with EU/ERA and the (freight) sector</li> </ul>

This is a technical/operational assignment. It would require establishing contact with stakeholders, such as rail transport undertakings, keepers, ERA, etc.

## **4. Conclusion**

The CTE is asked to support and mandate the activities set out in this document, with the priority on:

- The development of the UTP PAS for passenger vehicles;
- The revision of the UTP NOI;
- The consideration of amendments to the UTP GEN-A and UTP GEN-C;
- The development of application guide(s);
- Further development of activities in connection with the dissemination of information and monitoring;
- Conducting studies in strategic areas.

## Annex 1: status of activities mandated by APTU and ATMF

### APTU:

Item	Related section in the Convention	Status
1	Articles 4, 6 and 8: UTP development and adoption. <i>CTE shall prepare UTP, assisted by working groups and the SG. CTE shall decide on adoption. Adopted UTP shall be published, together with a list of UTPs in force.</i>	Ongoing work.
2	Article 5: validation and publication of technical standards and Article 6: Adoption of UTP	No activity planned. In practice, standards are only validated by the reference to these standards in UTPs.
3	Article 8a: correction of UTP deficiencies	Process developed in 2012, agreed in WG TECH and scheduled to be presented for information to CTE 6.
4	Article 12 § 1: publication of National Technical Requirements (NTRs) in a data bank. <i>CSs shall inform SG. SG shall publish in the data bank.</i>	As per the decision of CTE 5, the deadline for notification was extended to 31.10.2012.  A circular letter was sent to remind Contracting States of their duty to notify NTRs → poor response from Member States.  Data bank not established. The NTRs applied should first be clearer.  OTIF plans to investigate this issue in more detail.
5	Article 13 § 1: classification of NTRs <ul style="list-style-type: none"><li>According to the three groups (A, B and C) set out in Annex 2 to APTU</li></ul> <i>CSs and regional organisations shall cooperate with CTE and the SG, under the responsibility of the CTE.</i>	Notification of NTRs (item 4) should first have been completed.
6	Article 13 § 3: reference document, cross-referencing all notified NTRs. Also referred to as 'the equivalence table'  According to the 14 categories set out in Annex 1 to APTU  CTE shall ensure that a document is drawn up. It shall be published on the web by the Organisation.	Notification of NTRs (item 4) and their classification (item 5) should first have been completed.

### ATMF:

Item	Related section in the Convention	Status
7	Article 4 § 2: prescription of the assessment elements for the assessment of UTP provisions for a construction.	Assessment modules have been adopted and UTP GEN-D entered into force on 01.10.2012.

<b>Item</b>	<b>Related section in the Convention</b>	<b>Status</b>
	<i>CTE shall define.</i>	
8	Article 5 § 5: publication of national bodies which have been notified to carry out assessments, verifications and approvals.  CSs shall ensure that the SG is informed, who shall then publish.	OTIF will remind its MSs to notify these bodies.
9	Article 7a: guidelines and mandatory provisions for derogations.  CTE shall adopt.	Draft document was prepared for adoption in CTE5, however it was concluded that modifications were needed. The document has been reviewed by WG TECH and prepared for adoption in CTE6.
10	Article 10 § 11: publication of the information relating to the partial application of UTPs in case of renewal or upgrade, notified by Contracting States to the Secretary General.  CSs shall notify the SG, who shall publish on the web.	No notifications received from MSs.
11	Article 10b: publication of national or regional provisions for assessments and declarations which are supplementary to the provisions adopted by the CTE.  MSs to notify the SG, who shall inform the CTE and publish.	UTP GEN-D sets out assessment procedures; it has been adopted by the CTE and entered into force on 01.10.2012.
12	Article 12 § 1: prescription of the formats of 'design type certificate' and 'certificate of operation'.	These prescriptions have been adopted by the CTE and entered into force on 01.12.2012
13	Article 12 § 1: prescription of the formats of the declaration of UTP conformity.  CTE shall prepare and adopt.	Annex 1 to UTP GEN-D 'declaration of conformity'.  Entry into force 01.10.2012
14	Article 12 § 1: prescription of the format of the 'assessment report' relating to the application for admission of a vehicle  CTE shall prepare and adopt.	UTP GEN-D stipulates requirements for declarations; the format for 'assessment report' has not been established.
15	Article 13 §§ 1 and 4: register of authorised types and design types including its functional and technical architecture.  CTE shall establish functional and technical architecture.	No activity so far. OTIF is closely monitoring developments in the EU.
16	Article 13 §§ 2 and 4: register with information regarding the competent authorities and bodies, and the accredited ECM auditors.  CTE shall establish functional and technical architecture.	The ECM certification bodies are included in the ECM register, which is operational on the OTIF website.



<b>Item</b>	<b>Related section in the Convention</b>	<b>Status</b>
17	<p>Article 13 § 3: the CTE may decide to include other data in the data bank, such as information on: declarations, inspection and maintenance of vehicles, accidents and incidents, coding of vehicles, locations, rail transport undertakings, keepers, infrastructure managers, workshops, manufacturers, ECMs, etc.</p> <p>CTE may decide.</p>	With the exception of the ECM register, these possibilities have not been utilised so far.
18	<p>Article 14 § 2: define the sign to be applied to vehicles which establishes that the vehicle has been admitted to operation in international traffic.</p> <p>CTE shall lay down the sign.</p>	<p>This definition is included in UTP WAG annex PP. Entry into force 01.12.2012.</p> <p>Revised parameters are included in the revised UTP WAG which is proposed to CTE 6.</p>
19	<p>Article 15 § 2: ECM: detailed rules for the certification and auditing of ECM, for accredited/recognised auditors, their accreditation/recognition, the audits and the certificates.</p> <p>CTE shall adopt.</p>	ATMF Annex A – certification and auditing of ECM. In force since 01.05.2012.
20	<p>Article 15 § 5: guidelines or regulations on the certification and auditing of maintenance workshops and the mutual recognition of the certificates and the audits.</p> <p>CTE may adopt, if adopted they shall be published on the Organisation's website.</p>	ATMF Annex A – certification and auditing of ECM. In force since 01.05.2012.
21	<p>Article 16 § 4: examination of causes of serious accidents and incidents and instruction to CSs to suspend certificates or declarations.</p> <p>CTE may examine and may instruct.</p>	No activity so far.
22	<p>Article 16 § 5: preparation and adoption of further mandatory rules concerning accident investigation.</p> <p>CTE may prepare.</p>	No activity so far.
23	<p>Article 19 § 5: the CTE may decide that safety-based provisions introduced in the UTP shall be complied with within a certain deadline regardless of any transitional provisions.</p> <p>CTE may decide.</p>	This does not require any activity, but offers a possibility which can be used if need be. No activity so far.
24	<p>Article 19 § 7: transitional provisions other than those set out in Article 19.</p> <p>CTE may adopt.</p>	This does not require any activity, but offers a possibility which can be used if need be. No activity so far.
25	<p>Article 20: disputes relating to the technical admission of railway vehicles.</p> <p>CTE may deal with such disputes if there is</p>	This does not require any activity, but offers a possibility which can be used if need be. No activity so far.

Item	Related section in the Convention	Status
	no result by direct negotiation between the parties involved.	