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pour les transports internationaux
ferroviaires (OTIF)

Zwischenstaatliche Organisation
für den internationalen
Eisenbahnverkehr (OTIF)

Intergovernmental Organisation
for International Carriage
by Rail (OTIF)

Committee of Technical Experts

7th Session

Minutes

Bern, 4 - 5 June 2014

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DISCUSSIONS

Welcome by the Secretary General

Mr **François Davenne** opened the Committee of Technical Experts' (CTE) session. He welcomed all the participants. He highlighted the level of coordination achieved between ERA, EC and OTIF and underlined that the documents to be discussed at this meeting would have major implications for railway operations and investments.

The Secretary General highlighted the draft text on the revision of ATMF and said he hoped it would be adopted by the 25th Revision Committee, which would be held on 26 June. The document introduced a number of safety concepts into ATMF and created shared rules for the operation and composition of trains, not only at European Union level, but also for States which are not members of the EU.

The Secretary General also highlighted the number of new documents planned for adoption at this session. OTIF would continue to create regulations for interoperability and system compatibility, not only with the EU system but also in a broader geographical area.

With reference to the agenda, the Secretary General welcomed the spirit of collaboration and wished all the participants excellent work during the meeting.

Mr **Bas Leermakers** (head of OTIF's technical section) also welcomed the participants and interpreters to the 7th session of the CTE. He informed the participants that there would be simultaneous interpretation from and into English, French and German and that the session would also be recorded.

The documents for this session were available in all three languages and had been uploaded onto the OTIF website two months before the meeting, in line with the CTE's Rules of Procedure.

The discussions on the substance of the documents had taken place in three working group (WG TECH) sessions held since the 6th session of the CTE. Additionally, three ad-hoc subgroup meetings dealt with the revision of ATMF during the same period.

1. Approval of the agenda

The **OTIF Secretariat** (hereinafter referred to as the Secretariat) explained that the provisional agenda had been sent to participants with a circular on 3rd April 2014 (circular **A 92-03/502.2014**).

The **representative of the EU, Mr Patrizio Grillo**, also welcomed participants and explained that he was representing the EU at this session. For the sake of transparency he informed non-EU Member States that for some parts of the agenda the EU would vote on behalf of those OTIF Contracting States which are also EU Member States, i.e. for items 5 (ATMF revision) and 6 (UTPs).

CTE approved the agenda for the 7th session.

In connection with the developments that had taken place between two CTE meetings, the **Secretariat** informed CTE about the realisation of the Administrative Arrangements between OTIF,

EC and ERA¹ and its initial achievement in establishing joint OTIF/ERA VKM and ECM registers, both of which had been operational since 1 April 2014.

2. Presence and quorum

The **Secretariat** reminded the meeting that members of the CTE are those Member States of OTIF that apply APTU or ATMF, which represents 36 of the 49 OTIF Member States.

The **Secretariat** informed CTE that at the time of the session, one Contracting State had no voting rights according to Article 26 § 7 of the Convention, two Contracting States did not apply ATMF (they had no voting rights for item 5) and the EU would exercise the voting rights of all EU Member States who are also COTIF Contracting States for item 5 (representing 19 EU Member States with voting rights) and item 6 (representing 20 EU Member States with voting rights).

The quorum required was calculated on the basis of the number of registrations for the meeting.

APTU. The quorum for adoption of the APTU regulation was **18** States (of 35 Contracting States with the right to vote). The **20** EU OTIF Contracting States and **6** non-EU OTIF Contracting States meant that the number of States with right to vote that were present or represented was 26:

There was therefore a quorum for decisions concerning APTU (exceeded by 8)

ATMF. The quorum for adoption of the ATMF regulation was **17** States (of 33 Contracting States with the right to vote). The **19** EU OTIF Contracting States and **6** non-EU OTIF Contracting States meant that the number of States with right to vote that were present or represented was 25:

There was therefore a quorum for decisions concerning ATMF (exceeded by 8)

The **Secretariat** explained the process for adopting documents concerning items 5 and 6. All the documents had been uploaded onto the OTIF website. These uploaded documents, together with the amendments noted in the room document prepared for CTE 7, which had been followed by comments from participants, formed the proposal for adoption by CTE. To facilitate the decision-making process, prior to voting, all documents were shown on the screen in their consolidated versions, including all amendments.

CTE voted simultaneously on all three language versions.

3. Election of chairman

The **Secretariat** explained the procedure for the election of the chairman.

According to the procedure, as there were no suggestions from delegates, the **Secretariat** nominated Switzerland (Mr Bacher) to chair the session. Mr Roland Bacher accepted the nomination and the **CTE** unanimously elected Switzerland, in the shape of Mr Roland Bacher, to chair this session.

The **Chairman** thanked the participants for the trust it had placed in him and hoped CTE would deal with all the agenda items in an atmosphere of cooperation.

¹ Signed in Brussels on 24 October 2013 and communicated to the OTIF Member States in circular letter A 57-21/501.2013 of 25.11.2013 (http://www.otif.org/fileadmin/user_upload/otif_verlinkte_files/08_Presse/Com_Presse/CP_2013/A_57-21_501_2013_25_11_2013_e_OTIF-EU-ERA_AA_Brussels_24_10_2013.pdf).

4. Report from the Committee of Technical Experts working group TECH (for information)

The **Secretariat** informed CTE about the results of working group TECH, in accordance with the decisions made at the previous CTE (June 2013).

The standing working group TECH held three meetings:

- September 2013 in Istanbul (WG TECH 20), to discuss:
 - UTP LOC & PAS roadmap (the result: document A 94-03/1.2013 v03 for item 6.1 of this CTE: Strategy and road map for the development of the UTP LOC & PAS),
 - UTP GEN-A amendment,
 - UTP GEN-C amendment,
 - ATMF revision

This meeting established the ad-hoc subgroup for ATMF revision.

- December 2013 in Bern (WG TECH 21), to discuss/review:
 - ATMF revision,
 - UTP LOC & PAS,
 - UTP GEN-A amendment,
 - UTP GEN-C amendment,
 - and validate the application guide for UTP WAG.

This meeting resulted in the decision to draft additional UTPs.

- February 2014 in Bonn (WG TECH 22), to discuss/review:
 - and validate ATMF revision subgroup report,
 - ATMF revision (document CR 25/8 Add.1 v01 for item 5 of this CTE)
 - UTP LOC & PAS (document A 94-03/2.2013 v07 for item 6.1)
 - UTP PRM (document A 94-05/1.2014 v05 for item 6.2)
 - UTP MARKING (document A 94-09/1.2014 v03 for item 6.3)
 - and validate UTP GEN-A amendment (document A 94-01A/1.2011 v10 for item 6.4)
 - and validate UTP GEN-C amendment (document A 94-01C/1.2011 v08 for item 6.5)
 - preparation of CTE 7 and approve the provisional agenda for CTE 7.

WG TECH 22 was followed on the 2nd day by an OTIF-ERA joint workshop on inter-vehicle interfaces for passenger coaches. The main outcome of the workshop was that CER would make known its requirements in terms of the harmonisation of requirements for passenger coaches in international traffic. The result was expected shortly.

On behalf of the CTE, the **Chairman** particularly thanked the subgroups whose work had resulted in the revision of ATMF, i.e. the ad-hoc subgroup for safety lead by Mr Patrizio Grillo and the ATMF revision subgroup lead by Mr Michael Schmitz and all those participants who had taken part in the work of these working groups.

The Chairman concluded that the report of the standing WG TECH did not raise any questions and that the CTE took note of the report.

5. ATMF revision (for adoption as recommendation to the Revision Committee)

Document:

[CR 25/8 Add.1 v01](#)

ATMF revision

The **Secretariat** informed CTE about the basic data that characterised the work of the ATMF subgroup. The work was based on the results and recommendations of the safety subgroup. The ATMF subgroup had started work in September 2013 and had held three meetings on 18 October 2013 in Bern, 28 October 2013 in Brussels and 10 January 2014 in Bern, and was composed of participants from France (FR), Germany (DE), Serbia (RS)², Switzerland (CH), EC, ERA, CER, UIP and the OTIF Secretariat.

Before introducing the key issues of the proposal, the **Secretariat** reminded CTE about the process for adopting the document on the revision of ATMF, i.e. CTE could only adopt the document as a recommendation to the OTIF Revision Committee. Following the CTE recommendation, the 25th Revision Committee could then adopt the document at the meeting scheduled for 26 June.

The key issues for the ATMF revision were:

- To transpose the recommendations of the ad-hoc safety subgroup to include safety management for train composition and operation (new Art. 15a),
- To update definitions (Art. 2)
- To delete/reword elements which require further development of regulations, where the development was already finished (i.e. Art. 7a, derogations),
- Editorial modifications.

The **Chairman** proposed that further discussions on the subject should be based on the meeting room document as prepared for CTE 7, which listed the proposed changes compared to the documents submitted to CTE 7 two months before the session.

For each amendment, compared to the documents submitted two months before the session, the Secretariat would make an introductory statement, to be followed by discussions in the plenary. After the discussions CTE would vote on the proposal.

The **Secretariat** explained that the 1st amendment in the ATMF revision document was the EU's request to amend Art. 3a § 3. The amendment proposal in the room document was slightly amended by Secretariat compared to the original proposal.

² Serbia was part of the group and was involved in the exchange of views, but did not attend the meetings.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN, FR, DE	Art. 3a §3 (page 8)	Add the following sentence at the end of the paragraph: “When operating in the EU, railway undertakings and infrastructure managers shall only be subject to European Union legislation.”	EU request, amended by the OTIF secretariat. In some EU Member States the COTIF Appendices F and G are transposed into national law by laws adopted by national parliament. In some cases such laws may have a higher degree than laws transposing EU directives and, as a consequence, may prevail on provisions of Directive 2008/57/EC. This problem would appear especially as regards Article 15a of ATMF, which creates some obligations upon railway undertakings and infrastructure managers, which are less developed than the corresponding provisions in the EU legislation in terms, for example, of safety management systems.

The **representative of the EU** justified the proposal by the fact that in some EU Member States, COTIF Appendices F and G are transposed into national law by laws adopted by national parliaments. In some cases such laws may, from a “hierarchical” point of view, be at a higher level than laws transposing EU directives and, as a consequence, may take precedence over the applicable EU legislation. This would particularly appear to be a problem as regards Art. 15a of ATMF, which creates some additional obligations upon Railway Undertakings (RUs) and Infrastructure Managers (IMs) which are less developed than the corresponding provisions in the EU legislation in terms, for example, of safety management systems. The EU was concerned that ATMF may take precedence over applicable EU legislation, with the result that the EU Directive would not be applied. The EU therefore proposed this disconnection in Art 3a § 3.

The **EU** thanked the Secretariat for agreeing to introduce this proposal and accepted the different wording proposed by the Secretariat.

CH said it understood the amendment, but was also concerned that non-EU operators might suddenly have to apply the EU requirements in addition to the OTIF requirements. For reasons of clarity, CH proposed different wording; for example, the amendment should only concern operations that take place exclusively within the EU.

UIP commented on the wording, suggesting that the amendment should only concern operations within the EU, i.e. that EU legislation must take precedence over the OTIF regulations when the RU operates within the EU.

With regard to the different railway actors, **CER** was not certain which legislation should be applied when, for example, rail material was built in CH (non-EU Member State), registered in RS (non-EU Member State) and then transported between FR and DE (EU Member States). CER also considered it very complicated to include this rule in Art 3a § 3 without examining all the consequences, especially those for all the associated Articles.

The **representative of the EU** replied that when they operate on the territory of the EU, RU must apply EU legislation and must have safety certificates in accordance with the EU Safety Directive. He reminded the meeting that the existing ATMF only dealt with the authorisation process, where the current versions of ATMF certificates are mutually recognised between non-EU and EU Member States. According to the amendments, there would of course be some new obligations for RU and IM, which would affect safety provisions and which could result in possible problems in the EU. This was the reason for the EU proposal to amend Art 3a § 3. If there was any inconsistency between two laws (OTIF and EU), EU law would take precedence. With regard to the different wording of Art 3a § 3 as proposed by the Secretariat with the UIP's suggested amendment, following further consultation with lawyers concerning the word "precedence", the European Commission could support this wording, but the final EU position would only be ready for the 25th Revision Committee, where the decision would be taken.

RS said that it was not clear over which COTIF legislation the EU legislation would take precedence. With the exception of Art. 15a, ATMF did not prescribe operational rules for RU and IM, as EU legislation does. As a result, the proposals could be moved to Art.15a.

UIP supported the proposal to move the new amendment of Art. 3a § 3 to Art. 15a because at the moment, it only related to Art. 15a, i.e. this was the only place where precedence was an issue.

The **representative of the EU** explained that the appropriate place was Art. 3a, not only because it already dealt with the interaction with other international agreements, but also for reasons of legal clarity. In addition, the problem was not confined only to Article 15a, because there were many obligations in other parts of this Appendix as well.

The **Secretary General** pointed out that the EU proposal was in line with Art. 2 of the Accession Agreement (on the accession of the European Union to OTIF), where: "... *Member States of the Union shall apply Union rules and shall therefore not apply the rules arising from that Convention except ...*", meaning that this proposal should be adopted in line with the transparency clause.

The **Chairman** summarised the discussion and noted that there was a consensus to keep the text as proposed in the room document, with the alternative wording as agreed: "*For Railway Undertakings and Infrastructure Managers, when operating within the EU, EU legislation takes precedence over the provisions in these Uniform Rules.*"

With regard to the 2nd amendment in the ATMF revision document:

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
2	EN, FR, DE	Art. 5 § 5 (page 10)	replace ' Article 2wa ' with ' Article 2 wa (1) '.	Correct the reference

The **Chairman** noted that there was a consensus.

The **Secretariat** explained that the 3rd amendment in the ATMF revision document was the EU's request to combine Art. 19 § 2 and § 2a by deleting § 2a and replacing § 2 by a modified text to aid understanding. The Secretariat slightly amended the EU proposal.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
3	EN, FR, DE	Art. 19 § 2 and Art. 19 § 2a (page 25)	Combine Art 19 § 2 and §2a by deleting § 2a and replacing §2 by a modified text. The result will show as: Article 19 § 2 These Uniform Rules do not affect admissions to operation issued before 1.1.2011 for vehicles which exist as at 1.1.2011 and which are marked with RIV or RIC as proof of current compliance with the technical provisions of the RIV 2000 agreement (revised edition of 1 January 2004) or the RIC agreement respectively and for existing vehicles not marked RIV or RIC but admitted and marked according to bilateral or multilateral agreements between Contracting States notified to the Organisation. § 2 a Existing vehicles not marked RIV or RIC but admitted and marked according to bilateral or multilateral agreements between Contracting States notified to the Organisation shall also be deemed to be admitted to operation on the networks covered by the agreement.	A combination of §§ 2 and 2a is easier to understand.

The **representative of the EU** expressed concern about the procedure confirming that vehicles had existed before 01.01.2011.

The intention of the **Secretariat** was to make clear that the clause did not cover admissions of vehicles issued before 01.01.2011 for vehicles built after this date. From 01.01.2011 these ATMF rules apply to all vehicles. From the Secretariat's point of view, the text proposed dealt better with the concerns expressed by the EU.

The **Chairman** noted that there was a consensus in favour of the **3rd** amendment in the ATMF revision document.

The **Secretariat** proposed that amendments **4, 5 and 6** should be dealt with together. These proposals concerned only the German version of the ATMF revision document.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
4	DE	Art. 2 ab)	<p>"Akkreditierung“ die Bestätigung durch eine nationale Akkreditierungsstelle, dass eine Konformitätsbewertungsstelle die in europäischen harmonisierten Normen oder anwendbaren internationalen Normen festgelegten Anforderungen und, gegebenenfalls, zusätzliche Anforderungen, einschließlich solcher in relevanten sektoralen Akkreditierungssystemen, erfüllt, um eine spezielle Konformitätsbewertungstätigkeit durchzuführen."</p> <p>„Akkreditierung“ die von einer nationalen Akkreditierungsstelle ausgestellte Bescheinigung, dass eine Stelle zur Bewertung der Konformität die Anforderungen aus harmonisierten europäischen Normen oder anwendbaren internationalen Normen sowie gegebenenfalls zusätzlich anwendbare Anforderungen erfüllt, einschließlich solche aus sektorspezifischen Programmen zur Durchführung der Konformitätsbewertung;</p>	Align the definition of accreditation with the wording of Art. 2(10) of Regulation 765/2008
5	DE	Art. 5 §2, Art 2 cb, Art. 5 §§ 3 – 7, Art. 6 § 4, Art. 10 §§ 3a, 4 6 – 8	<p>“assessing entities” is translated with “Bewertungsstelle”.</p> <p>According to the ETV GEN-E “the assessing entity” is translated by “Prüforgan”. In the EU the term “Bewertungsstelle” is especially assigned to assessment bodies according to the CSM RA. Due to this the OTIF – term according to Art. 5 § 2 could be misleading. Due to this the proposal is to use also in ATMF the word “Prüforgan”.</p>	Linguistic harmonisation
6	DE	Art. 5 §4	<p>Die Anforderungen in § 3 gelten sinngemäß für die technische Zulassung erteilenden zuständige Behörde, in Bezug auf die in § 2 genannten Pflichten Aufgaben, die nicht an eine Bewertungsstelle übergeben übertragen werden müssen wurden.</p>	

The **Chairman** noted that there was a consensus in favour of amendments **4, 5 and 6** in the ATMF revision document.

In reply to the Chairman’s question as to whether anybody had any additional proposals, **RS** proposed to add the following sentence at the end of Art. 4 § 1 (after point b): *“If the vehicle is*

admitted in a single stage, the type of construction of the vehicle is admitted at the same time.” RS justified the proposal by the fact that problems of inconsistency could be resolved in OTIF Member States, where the admission of the type of construction is not mandatory. In that case, the admission of the vehicle in a single stage would imply that the construction of the vehicle is admitted at the same time. The proposal was also in the line with Art. 26 (2) of EU Directive 2008/57/EC.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
7	EN, FR, DE	Art. 5 § 4 § 1 (after point b) (page 8)	“If the vehicle is admitted in a single stage, the type of construction of vehicle is admitted at the same time.”	To avoid unnecessary administrative burden. This specification is in line with EU Directive 2008/57/EC Art. 26 (2)

The **representative of the EU** supported the proposal.

The **Chairman** noted that CTE unanimously accepted RS’s proposal as the 7th amendment in the ATMF revision document.

CER added three editorial comments to the discussion: Art. 2 n) concerning modification of the word “keeper” (*détenteur*) in the French version, Art 2. dd) to keep the definition of technical certificate in all three language versions and clarification of the UTP Certificate mentioned in Art. 10 § 3a.

The **Secretariat** noted that the amendment to Art. 2 n) had already been made correctly in the French version of the ATMF revision document, but there had not been time to introduce this change into the meeting room document. The Secretariat showed the correctly amended French text on the screen.

The **Chairman** noted that there was a consensus concerning the amendments to Art. 2 n).

The **Secretariat** explained that the reason for deleting Art. 2 dd) from the definitions was that there was already a separate Article concerning the Technical Certificate (Art. 11) in ATMF.

The **Chairman** noted that there was no consensus to maintain Art. 2 dd).

With regard to clarification of the UTP Certificate, the Secretariat explained that this certificate should not be confused with the Technical Certificate, which constitutes evidence of admission to operation. The UTP certificate provides confirmation that the construction complies with the UTP requirements issued by the Assessing Entities.

Vote:

The **Chairman** underlined that CTE would only vote on submitting a recommendation to the 25th Revision Committee.

The result of the vote on the ATMF revision document - CR 25/8 Add.1 v01, including all the amendments listed above, was:

- 25 Member States with voting rights
- 22 Member States voted in favour
- 0 Member States were opposed
- 3 Member States abstained (CH, TN, TR).

Decision:

CTE 7 adopted the following recommendation for the 25th Revision Committee:

- To adopt the draft revised ATMF submitted to CTE 7, with the following amendments:
 - a. The amendments set out in the meeting room document prepared for CTE 7;
 - b. At the end of Art. 4 § 1 (after point b) adding the following sentence: *“If the vehicle is admitted in a single stage, the type of construction of the vehicle is admitted at the same time.”*
 - c. In the French version the definition in Art. 2 n) should read: *“« détenteur » désigne la personne ou l’entité propriétaire du véhicule ou disposant d’un droit de disposition sur celui-ci, qui exploite ledit véhicule à titre de moyen de transport et est inscrite en tant que telle dans le registre des véhicules prévu à l’article 13;»*
- To consider wording for Art. 3a § 3, as an alternative to the wording proposed in the meeting room document, in order correctly to describe the interaction between EU law and ATMF for operational aspects. At its 7th session, CTE drafted the following alternative wording, which may be considered by the Revision Committee: *“For RU and IM, when operating within the EU, EU legislation takes precedence over the provisions in these Uniform Rules.”*

Justification document for the revision of Appendix G (ATMF UR) and points to be included in the Explanatory Report

Document:

[A 93-01/2.2014 v01](#)

Justification document for the revision of Appendix G (ATMF UR) and points to be included in the Explanatory Report

The **Secretariat** introduced this document, the purpose of which was to justify and explain the amendments proposed in the ATMF revision document. The Secretariat also informed CTE that the justification document for the revision of Appendix G (ATMF UR) (hereinafter referred to as ATMF justification document), together with the ATMF revision document, would be submitted to the Revision Committee. The document contained text in normal and **bold** font. Text in bold comprised suggestions for the Explanatory Report on ATMF (on how to apply COTIF).

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN	General justifications (bottom of page 2)	The changes which are not covered by this introductory note these general justifications are explained in the rest of this document.	Semantic

The **Chairman** noted that there was a consensus in favour of the **1st** amendment in the ATMF justification document.

The **Secretariat** explained that the 2nd amendment concerned the status of the Infrastructure Manager when operating vehicles.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
2	EN, FR, DE	Article 2t (end of page 3/top of page 4)	Add new sentence at the end: “When infrastructure managers operate vehicles, e.g. freight wagons to transport materials for construction or for infrastructure maintenance activities, the infrastructure managers do so in the capacity of a railway undertaking.”	Explanation of status of infrastructure manager when operating vehicles.

CER said it could not accept that an IM, although the owner of the vehicles, could act as an RU. It also said that this proposal contradicted the EU legislation.

The **representative of the EU** replied that according to the safety directive, an IM can be an RU under the safety authorisation, if he applies rules applicable to the RUs and when he operates his own trains. The EU saw no reason to withdraw this proposal. The EU suggested that to make matters clearer, CTE could amend the wording.

To clarify matters, the **Secretariat** referred to the new Art. 15a § 2 of ATMF, which stipulates that in addition to RU, the provision also applies to entities other than RU, i.e. IM. Accordingly, the proposal did not contradict the OTIF rules. At the same time, the proposal was part of the ATMF justification document and would not therefore create any obligation, as such. The Secretariat supported the EU proposal to amend the wording and suggested *“When infrastructure managers operate vehicles, e.g. freight wagons, to transport materials for construction or for infrastructure maintenance activities, infrastructure managers apply the rules set out in ATMF which apply to railway undertakings.”*

The **Chairman** summarised the discussion which followed and noted that the meeting supported adding the text as proposed in the meeting room document, with additional amendments suggested by the Secretariat.

In reply to the Chairman’s question as to whether the amendments agreed would reach OTIF’s Revision Committee in the same form, the **Secretariat** recalled the procedure for sending recommendations to the Revision Committee, i.e. all the amendments made today and those already noted in the meeting room document prepared for CTE 7 would be consolidated and submitted to the Revision Committee as a recommendation from CTE. The **Secretariat** explained that the 3rd amendment concerned the better usage of modules and UTP Certificates.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
3	EN, FR, DE	Art. 4 §1 b) (page 5)	According to Article 10 § 8, the appropriate manner to demonstrate that the vehicle corresponds to the admitted type of construction is a certificate of verification (module SD/SF), it is not really a simplified procedure. This is a standard procedure and the word ‘simplified’ is ambiguous if it is not further clarified, so it is deleted. The certificate of verification is issued according to the appropriate module defined in the UTP(s) concerned which may be module SD or module SF for type examination certificate or module SH1 for design examination certificate.	Add module SH1 since the design type certificate issued in the design phase of this module also gives possibility to use the procedure described.

RS questioned the necessity of this proposal, bearing in mind UTP GEN-D, where the modules are already explained. If it were retained, RS proposed partial deletion of the text so that only the modules were referred to: *“The certificate of verification is issued according to the appropriate module defined in the UTP(s) concerned, which may be module SD or module SF for the type examination certificate or module SH1 for the design examination certificate.”*

The **representative of the EU** replied that the proposal was clear and correct and that it followed a lengthy discussion within the EU. The text should be maintained as a whole, without dividing or amending it. If the proposed text were deleted in accordance with RS’s proposal, this might give the wrong impression that any of the modules could be used, which was not the case.

The **Chairman** summarised the discussion and explained that these modules were dealt with by specialists and that they had given their opinion on them. Considering that the EU required this level of detail, the Chairman said that CTE should vote on the text as proposed, unless there were any strong arguments against doing so.

The **Chairman** noted that there was a consensus in favour of the text proposed in the meeting room document.

The **Secretariat** explained that the 4th amendment concerned clearer alignment between the OTIF and EU provisions on this matter.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
4	EN, FR, DE	Art.7 § 1a (page 6)	To compensate for the modification in §1 (deleting 'remain admitted'), this paragraph is added to indicate that the entities responsible for the vehicle after admission, i.e. the keeper, the ECM and the railway undertaking, should keep the vehicle compliant with the UTPs. Due to the fact that the admission procedures can take several months, it is recommended that the rules to be applied by the competent authority for a specific admission process are those that were in force at the date of the application and that no new rule is imposed during the subsequent process.	To align the interpretation of this provision with the EU one (art. 8(7) of Commission Recommendation 2011/217).

The **Chairman** noted that on the meeting supported the text proposed in the meeting room document.

CH also noted that CTE had still not reached consensus on the explanation of the ATMF revision document, at least for RUs and IMs. CH expressed concern about the risk that COTIF could cease to apply at the EU borders, although the target CTE was trying to achieve was legal equivalence between the OTIF and EU provisions. CH proposed that CTE should issue a mandate to draft a supplementary explanation of Art. 3a § 3.

The **representative of the EU** supported CH's proposal to draft an explanation on the revised provisions of ATMF. At the same time, the EU doubted that this could be achieved before the Revision Committee.

The **Chairman** stressed the importance of explaining correctly the interaction between EU law and ATMF for operational aspects relating to the new provisions for Art. 3a § 3 and that a proposal should be drafted in time to be made available for the Revision Committee. Accordingly, CTE tasked a group composed of **EC** (P. Grillo), **DE** (M. Schmitz), **CH** (M. Hepp), **RS** (M. Popovic), **CER** (B. Alibert), **ERA** (D. Dimitrova) and the OTIF **Secretariat** to develop (by e-mail) a proposal for such explanatory wording.

The **Chairman** noted that the **Secretariat** would prepare the initial draft and send it to the CTE task group.

The **representative of the EU** also requested clarification of the specific cases mentioned on page 4 of OTIF's justification document, and their impact on the conditions for admission. The EU expressed concern that the wording was not clear enough and might not cover all types of specific cases. The EU proposed that this could be explained by revising OTIF's justification document.

Vote:

The result of the vote concerning the justification for the revision of ATMF – Document A93-01/2.2014 v.1, including all the amendments listed above, was: 24 votes in favour (unanimous).

Decision:

CTE 7 adopted the following recommendation for the 25th Revision Committee:

- To consider the justification document submitted to CTE 7 as justification for the revision of ATMF, with the following amendments:
 - a. The amendments set out in the meeting room document prepared for CTE 7;
 - b. Amend the last sentence in the explanation on ATMF Art. 2 t), as follows: *“When infrastructure managers operate vehicles, e.g. freight wagons, to transport materials for construction or for infrastructure maintenance activities, the infrastructure managers apply the rules set out in ATMF which apply to railway undertakings.”*
- To draft text to explain correctly the interaction between EU law and ATMF for operational aspects relating to the new provisions for Art. 3a § 3. CTE mandated a group³ to develop (by e-mail) a proposal for such explanatory wording.

6. Uniform Technical Prescriptions (UTP) (for adoption)**6.1 UTP LOC & PAS****Documents:**

[A 94-03/1.2013 v03](#) **Strategy and road map for the development of the UTP LOC&PAS** (for information)

[A 94-03/2.2013 v07](#) **Draft UTP LOC&PAS**

The Secretariat had prepared two documents which had been submitted to CTE 7 two months before the session: the strategy and road map for the development of the UTP LOC&PAS (A 94-03/1.2013 v03 - for information) and the UTP LOC&PAS (A 94-03/2.2013, version 07 - for adoption). The additional comments that the Secretariat had received on UTP LOC&PAS in the two months prior to the session had been taken into account in the meeting room document. As CTE had no objections to the information document, the Secretariat introduced UTP LOC&PAS.

The document was prepared in accordance with a decision taken at CTE 6, which mandated WG TECH to develop the draft UTP LOC&PAS. Principles for the drafting were adopted at WG TECH 20 and the first draft was submitted to WG TECH 21. The document was based on the draft LOC&PAS TSI that had received a positive opinion from the EU MS in the RISC68 on 24 October 2013. In addition to the TSI, the UTP LOC&PAS proposal also included Appendix K, which contained provisions for safe operation from TSI OPE (safe operation of rolling stock) and specific cases for Switzerland and Norway.

The **Chairman** noted that CTE would carry out further work on the modifications proposed in the meeting room document.

The **Secretariat** explained that the 1st amendment concerned the alignment of the transitional periods in UTP LOC&PAS and LOC&PAS TSI.

³ This group is composed of P. Grillo (EC), M. Schmitz (DE), B. Alibert (CER), M. Hepp (CH), M. Popovic (RS), D. Dimitrova (ERA) and the OTIF Secretariat.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN, FR, DE	4.2.3.1(3), paragraph 2 (Page 39)	in the left column replace ' <i>During a transitional period ending 3 years after the date of application of this UTP</i> ' with ' <i>During a transitional period ending on 31.12.2017</i> '.	Mentioning this specific date as an end of the transition period will help ensure that transitional periods in UTP LOC&PAS and TSI LOC&PAS end at the same date even if their dates of entry into force or application differ.

The **Chairman** noted that on the meeting supported the proposed amendment.

The **Secretariat** explained that the 2nd amendment also provided assurance that the transitional periods in UTP LOC&PAS and LOC&PAS TSI were harmonised.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
2	EN, FR, DE	section 7.1.1.2.1. (3), paragraph 1 (Page 168)	In the left column replace the end of the first sentence '...the application of this UTP is not mandatory during a transitional period ending 6 years after the entry into force of this UTP ' with '...the application of this UTP is not mandatory during a transitional period ending on 31.12.2020 '.	Mentioning a specific date as an end of the transition period will help ensure that transitional periods in UTP LOC&PAS and TSI LOC&PAS end at the same date in case their dates of entry into force or application differ.

The **Chairman** noted that on the meeting supported the proposed amendment.

The **Secretariat** explained that the 3rd amendment is justified for the same reasons as the two previous amendments.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
3	EN, FR, DE	section 7.1.1.5. (1), paragraph 1 (Page 171)	In the left column replace the end of the first sentence 'During a transitional period ending three years after the date of application of this UTP... ' with 'During a transitional period ending on 31.12.2017 '.	Mentioning a specific date as an end of the transition period will help ensure that transitional periods in UTP LOC&PAS and TSI LOC&PAS end at the same date in case their dates of entry into force or application differ.

The **Chairman** noted that on the meeting supported the proposed amendment.

The **Secretariat** explained that the 4th amendment was NO's response to OTIF's letter to the non-EU Member States asking them to declare any specific cases that should be taken into account in this UTP. Although NO is not a Contracting State, i.e. it does not apply APTU and ATMF, the Secretariat took into account the information received from NO about their intention to withdraw the declaration and to become a Contracting State, and NO's specific cases had therefore been included.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
4	EN, FR, DE	7.3.1. (1) (Page 180) left-hand column Reference to Norwegian specific cases	New third paragraph: “Specific cases for Norway are those applicable for the LOC&PAS TSI as set out in Article 1(2) points (a) to (f) of the Decision of the EEA Joint Committee No 176/2012 of 28 September 2012 amending Annex XIII (Transport) to the EEA Agreement as published in the Official Journal of the European Union L 341, 13.12.2012, p. 29.”	Norway expresses the need for certain Specific cases. Those specific cases correspond to the adaptations which have been made in conjunction with the TSI LOC & PAS being taken into the EEA Agreement by virtue of Decision of the EEA Joint Committee. Specific cases for Norway in the TSI apply also in the scope of the UTP.

The representative of the EU explained that the Decision of the EEA Joint Committee No 176/2012 of 28 September 2012 is applicable to the previous version of TSI LOC&PAS. He proposed that this reference should be updated after the decision for the specific cases in Norway for the new TSI LOC&PAS is taken by the relevant Joint Committee.

The **Chairman** noted that the meeting supported the proposed amendment, provided that the EEA Joint Committee reference was updated in line with the EU proposal.

The **Secretariat** explained that the 5th amendment only concerned references to those specific cases not included in LOC&PAS TSI, i.e. a list of the non-EU Member States’ specific cases. This proposal was in line with the CTE 6 decision concerning the same subject in UTP WAG.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
5	EN, FR, DE	7.3.2. (Page 181) left-hand column	“This section only covers specific cases which are not included in the LOC&PAS TSI.”	Specific cases already contained in the LOC&PAS TSI should not be duplicated in the UTP.

In response to **RS’s** proposal to introduce a clear reference to where the corresponding TSI could be found, the **Secretariat** explained that generally, all references were noted in Part 0 of the UTPs⁴. In this case the reference to the corresponding TSI was not yet included, as the TSI was not yet published and therefore did not have its legal reference. Before entry into force, the reference to the corresponding TSI would be noted in part 0.

The **Chairman** noted that on the meeting supported the proposed amendment.

CH stated that it had withdrawn most of its declared specific cases, as indicated in positions **6 to 24, 26 to 28** and **31 to 33** of the meeting room document⁵. **CH** explained that the reason for firstly declaring and then withdrawing them was the result of the OTIF, ERA and CH joint meeting’s assessment, according to which most of the specific cases were found not to meet the criteria for specific cases and could therefore be deleted from the UTP LOC&PAS. CH noted that when

⁴ Equivalence and transitional provisions

⁵ Positions 6 to 24, 26 to 28 and 31 to 33 of the meeting room document are not reproduced in these minutes as they only indicate the deletion of proposals concerning CH specific cases.

operating in CH, although not defined as specific cases, RUs would still be affected by these provisions.

CH explained the reasons for maintaining the specific case set out in the 25th position in the meeting room document, e.g. the pressure resistance of vehicles when they go into a tunnel at high speed. The proposal envisaged a particular test run, for which the procedure was still under development and envisaged to be finalised in 2015.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
25	EN, FR, DE	7.3.2.12 (Page 184)	The text should read: “Vehicles for passenger service, designed to operate at speeds higher than 160 km/h , shall be capable for of operation [...] (Gotthard base tunnel). Verification for the vehicle type by means of a test run. with speeds up to 200 km/h. ” [...] New paragraph at the end: “If the vehicle does not fulfil these requirements, operating rules (e.g. speed restrictions) may apply.”	CH modified proposal

The **representative of the EU** summarised the proposal concerning CH’s specific cases, noting that additional requirements other than those defined in Chapter 4 of the UTP were not listed and would be developed by CH next year. In addition, each vehicle type had to be authorised by means of a test run, for which the procedure was not specified. The EU objected to this way of dealing with specifications and considered that without specific requirements, specific cases should not be included in the UTP. In general, the EU expressed that this type of specific case should be avoided, since they had an adverse effect on interoperability.

CH considered that although there were no specific requirements, this amendment should be maintained for safety reasons. CH explained that this amendment was also necessary to ensure that Swiss Federal Railways’ very dense timetable could continue to function.

CER supported the proposal, provided it was restricted to the Gotthard base tunnel.

RS proposed not to include the specific case at this time and to postpone the discussion until the next CTE session, bearing in mind that the Gotthard base tunnel was still under construction.

The **representative of the EU** suggested that instead of deleting the specific case, the amendment could be moved somewhere else in Chapter 7 of the UTP.

The **Chairman** noted that this specific case had to be supported by specific requirements. He therefore proposed two possibilities for CTE: either to delete this specific case, with the justification that specific requirements could not yet be described, or to maintain this specific case in the text modification and to prepare a clear note requesting that the specific requirements should be provided as quickly as possible. The modification of this amendment should also be useful for the railway sector and the people who deal with this UTP, i.e. RUs and vehicle manufacturers.

Following a discussion on the new wording, the **Chairman** noted that there was a consensus, provided the amendment was changed to read as follows:

“Vehicles for passenger service designed to operate at speeds higher than 160 km/h and intended to be used in long single-track tunnels constructed with a cross-section of 41 m² shall be verified by means of a test run. The requirements applicable for this specific case shall be forwarded to the CTE by Switzerland according to the results of the type test runs scheduled in 2015 in the Gotthard base tunnel. Consecutively, this UTP will be updated as necessary. If the vehicle does not fulfil these requirements, operating rules (e.g. speed restrictions) may apply.”

The **Chairman**, speaking as the representative of CH, explained the reasons for proposing the 29th amendment, e.g. pantograph head geometry (IC level) which, in CH, was set to 1450 mm and could not be changed to 1600 mm (EU standard) on all lines .

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
29	EN, FR, DE	7.3.2.16. (Page 185)	<p>The Swiss standard gauge network is designed to accept pantographs with a head geometry of 1450 mm. Specifications in accordance with AB-EBV 18. Supplemental Information: SBB R I 20030, v 2.0 / 01.01.2014.</p> <p>The text should read: “For operation on existing lines the electric units have to be equipped with a pantograph having a head geometry length of 1,450mm. (EN 50367:2012 Annex B2, Figure B.1)”</p>	CH modified proposal

CER asked whether it might be possible to list those lines on which the 1450 mm pantograph head geometry is required.

CH noted that the amendment could be also interpreted as a restriction that applies to all lines in Switzerland, which was not the case. On certain lines, the 1600 mm pantograph head geometry could be used.

Following a discussion on the new wording, the **Chairman** summarised the discussion and noted that there was a consensus, provided the amendment were changed to read as follows:

“For operation on existing lines, the electric units have to be equipped with a pantograph having a head geometry length of 1450mm, unless specified otherwise in the infrastructure register. (EN 50367:2012 Annex B2, Figure B.1)”.

The **Chairman**, speaking as the representative of CH, explained the reasons for proposing the 30th amendment, e.g. for pantograph contact force and dynamic behaviour. The reference to the EN standard was noted.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
30	EN, FR, DE	7.3.2.17. (Page 185)	The text should read: “For operation on existing lines the pantograph and overhead contact lines must work properly together in all operating configurations and at the used speed range used. (EN 50367:2012, Annex B, table B.1 and table B.5 and fig. B.1; Annex C, table C.1) Infrastructure requirements to interaction pantograph /overhead contact line according to SBB R I 50088, v 1.0 / 05.09.2013	CH modified proposal

CER asked whether it might be possible to apply a similar approach to the previous amendment, i.e. a reference to the specification in the infrastructure register.

CH pointed out that this amendment referred particularly to the 1450 mm pantograph forces.

Following a discussion on the new wording, the **Chairman** summarised the discussion and noted that there was a consensus, provided the amendment were changed to read as follows:

“For operation on existing lines requiring a head geometry length of 1450mm, the pantograph and overhead contact lines must work properly together in all operating configurations and at the speed range used. (EN 50367:2012, Annex B, table B.1 and table B.5 and fig. B.1; Annex C, table C.1)”.

The **Chairman** explained that this set of amendments only concerned the renumbering of the subchapters in 7.3.2 or the correction of references (amendments from **34 to 36** and **38 to 41**).

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
34	EN, FR, DE	7.3.2.1. – 7.3.2.20. (Pages 181-186)	7.3.2.1 – 7.3.2.5.	Renumbering of the subchapters in 7.3.2, following the CH withdrawals and modifications of the proposals
35	EN, FR, DE	7.4 (Page 186)	The reference should read: “[...] in clause 4.2.6.1. 52 . shall be provided.”	Correction of reference
36	EN, FR, DE	7.4 (Page 187)	The reference should read: “[...] in clause 4.2.6.1. 52 , excluding the scenario ...”	Correction of reference

38	EN, FR, DE	APPENDIX J (Page 217) J.1 Standards or normative documents, Index Nr 9.	The reference should read: “EN 16404:2014 xx (probably 2014, to be checked before adoption)”	Correction of reference
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39	EN, FR, DE	APPENDIX J (Page 218) J.1 Standards or normative documents, Index Nr 32.	The reference should read: “ Fpr EN 14752:2014 xx (to be checked before adoption) ” “Mandatory points: 5.2.1.4.2.2 1 ”	Correction of reference
40	EN, FR, DE	APPENDIX J (Page 218) J.1 Standards or normative documents, Index Nr 33	The reference should read: “ Fpr EN 14752:2014 xx (to be checked before adoption) ” “Mandatory points: 5.5.1.5 4 .”	Correction of reference
41	EN, FR, DE	APPENDIX J (Page 220) J.1 Standards or normative documents, Index Nr 66	The reference should read: “EN 16019: 2014 xx (probably 2014, to be checked before adoption) ”	Correction of reference

The **Chairman** noted that there was a consensus in favour of the proposed amendments.

The **Chairman**, speaking as the representative of **CH**, explained the reasons for proposing the 37th amendment. This specific environmental conditions amendment was made on the basis of Austria’s specific environmental conditions.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
37	EN, FR, DE	7.4 (Page 187) left-hand column	Specific conditions Switzerland For unrestricted access in Switzerland under winter conditions the additional capability of the obstacle deflector to remove snow as specified for snow, ice and hail severe conditions in clause 4.2.6.1.2 shall be provided.	CH proposal, from 7.3.2.11. is modified and moved here because here is more appropriate place

The **Chairman** noted that on the meeting supported the proposed amendment.

Vote:

The result of the vote concerning the new UTP LOC&PAS – Document A94-03/2.2013 v07, including all the amendments listed above, was: 25 votes in favour (unanimous).

Decision:

The CTE 7 adopted the UTP LOC&PAS, with the following amendments:

- The amendments as set out in the meeting room document prepared for CTE 7, with the following amendments:
 - o The specific case for Switzerland for the maximum pressure variations in tunnels should read: “*Vehicles for passenger service designed to operate at speeds higher*”

than 160 km/h and intended to be used in long single-track tunnels constructed with a cross-section of 41 m² shall be verified by means of a test run. The requirements applicable for this specific case shall be forwarded to the CTE by Switzerland according to the results of the type test runs scheduled in 2015 in the Gotthard base tunnel. Consecutively, this UTP will be updated as necessary. If the vehicle does not fulfil these requirements, operating rules (e.g. speed restrictions) may apply.”

- The specific case for Switzerland for pantograph head geometry (IC level) should read: *“For operation on existing lines, the electric units have to be equipped with a pantograph having a head geometry length of 1450mm, unless specified otherwise in the infrastructure register. (EN 50367:2012 Annex B2, Figure B.1)”*.
- The specific case for Switzerland for pantograph contact force and dynamic behaviour should read: *“For operation on existing lines requiring a head geometry length of 1450mm, the pantograph and overhead contact lines must work properly together in all operating configurations and at the speed range used. (EN 50367:2012, Annex B, table B.1 and table B.5 and fig. B.1; Annex C, table C.1)”*.
- Before the entry into force of the UTP, section 0 should be updated to refer correctly to the EU provision enacting the TSI.

The reference to the specific case for Norway should be updated as soon as the new reference becomes available in accordance with a new decision planned by the EEA Joint Committee on this subject.

6.2 UTP PRM

Document:

[A 94-05/1.2014 v05](#)

Draft UTP PRM

The **Secretariat** had prepared for adoption document UTP PRM (A 94-05/1.2014, version 05), which had been submitted to CTE 7 two months before the session. The additional comments that the Secretariat had received on UTP PRM had been taken into account in the meeting room document.

The UTP PRM was prepared in parallel with the UTP LOC&PAS, according to a decision taken by WG TECH 21 to develop a separate UTP PRM (not part of the UTP LOC&PAS). The first draft was submitted to WG TECH 22. The document was based on the version of the PRM TSI that obtained a positive opinion at RISC69 in January 2014, with one difference, i.e. the application of infrastructure-related parameters introduced into UTP PRM, in particular those for platforms and stations **is voluntary** for OTIF non-EU Member States. In addition, Appendices B and C refer to the legal text enacting the PRM TSI, so the left-hand column of Appendices B and C were reserved.

The **Chairman** noted that CTE would carry out further work on the modifications proposed in the meeting room document.

The **Secretariat** explained that amendments **1 to 3** concerned corrections to references on the EU side (right-hand column), which will ensure equivalence with the text of PRM TSI as voted in RISC69. Amendments **4, 5 and 7** concerned the correction of typographical errors.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN, FR, DE	section 2.1.2., paragraph 2 (Page 4)	In the right column replace ' <i>...which is placed in service after the date of application provided for in Article 14 ...</i> ' with ' <i>...which is placed in service after the date of application provided for in Article 12 ...</i> '.	This will ensure equivalence with the text of PRM TSI as voted in RISC.
2	EN, FR, DE	section 2.1.2., paragraph 3 (Page 5)	In the right column replace ' <i>...on the network (or part of it) of any Member State at the date of application provided for in Article 14 ...</i> ' with ' <i>...on the network (or part of it) of any Member State at the date of application provided for in Article 12 ...</i> '.	This will ensure equivalence with the text of PRM TSI as voted in RISC.
3	EN, FR, DE	section 2.1.2., paragraph 4 (Page 5)	In the right column replace 'However, the TSI shall apply to existing infrastructure and rolling stock of the rail system in the Union, referred to in Article 2 (1), ...' with 'However, the TSI shall apply to existing infrastructure and rolling stock of the rail system in the Union, referred to in paragraph 1, ...'.	This will ensure equivalence with the text of PRM TSI as voted in RISC.
4	EN	section 6.1 (page 50)	title: In the right column replace 'Interoperability constituent' with 'Interoperability constituents'.	Typo.
5	EN, FR, DE	table 14: In column 8 (Page 51)	Module CH the number of the footnote must be 17, not 18.	Typo.
7	EN, FR, DE	APPENDIX A (Page 62) Index Nr 11	The reference should read: "FprEN 14752:2014"	Correction of reference

The **Chairman** noted that on the meeting supported the proposed amendments.

The **Chairman**, speaking as the representative of CH, explained the reasons for proposing the 6th amendment. This specific case concerned a platform height which, in CH, was 550 mm above track level; this could be different in other countries. This problem (height difference) resulted in numerous appeals to the CH Courts. CH stated that if this proposal were accepted, accessibility for people with reduced mobility would be improved.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
6	EN, FR, DE	7.3.2.1. (Page 61)	<p>The subtitle of the 7.3.2.1. should be read as follows: 7.3.2.1. Step position for vehicle access and egress (4.2.2.11) and boarding aids (4.2.2.12) Wheelchair Boarding (4.4.1. and 4.4.2.) Rolling stock that is operated in Switzerland shall in principle be equipped with at least one door with boarding aids permitting independent access and egress for persons in wheelchairs or with wheeled walkers to and from vehicles (e.g. movable steps or bridging plates respecting the max. horizontal and vertical gap values) from the Swiss standard platform height (550 mm over rail level). Explanation: Ensuring autonomy for PRM is an overarching objective of Swiss national legislation[†]. For this, the access and egress to/from public transport vehicles shall in principle be ensured without assistance from company staff. Thus, rolling stock that is operated in Switzerland shall be equipped with at least one door with boarding aids permitting independent access and egress for persons in wheelchairs or with wheeled walkers to/from the vehicles (e.g. movable steps or bridging plates respecting the max. horizontal and vertical gap values) from the Swiss standard platform height (550 mm over rail level). Exceptions to this rule must be dealt with within the proportionality clause, which is also in the DDA. When such an exception is approved by the Swiss Federal Office of Transport (FOT), assistance from company staff (and technical aid, e.g. on board or platform based lifts) is necessary and is treated as a compensating measure.</p> <p>[†] Federal Act on the Elimination of Discrimination against People with Disabilities, DDA, SR 151.3, http://www.admin.ch/bundesrecht/00566/index.html?lang=de</p>	Correction of title reference / CH modified proposal

		<p>Wheelchair boarding: At least one door area per train set shall be designed permitting self-depending access for persons with reduced mobility. Platform height: 550 mm over rail level.</p> <p>Railway Undertaking and Infrastructure Manager shall define together the areas on the platform where this access shall be possible. Exceptions may be authorized by the Swiss Federal Office Transport (FOT) according to the proportionality clause retained by the Federal Act on the Elimination of Discrimination against People with Disabilities, DDA, SR 151.3*. When such an exception is authorized by the FOT, assistance by company staff and technical aids (e.g. on-board or platform-based lifts) are necessary as compensating measures.</p> <p>An appeal (e.g. of an organisation of persons with disabilities or the applicant) against the FOT decision is decided by the Swiss Federal Administrative Court. A further appeal is decided by the Swiss Federal Court.</p> <p>* www.admin.ch -> Bundesrecht -> Systematische Rechtssammlung -> 151.3 Suchen</p> <p>* www.admin.ch -> Droit fédéral -> Recueil systématique -> 151.3 Rechercher</p> <p>*www.admin.ch -> Diritto federale -> Raccolta sistematica -> 151.3 Ricerca</p>	
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The **representative of the EU** commented that although the requirement was clearly defined (one door per train and platform height), the possibility that RUs and IMs could mutually define access could create uncertainty for manufacturers. At the same time, the proposed amendment would introduce some exceptions, but without stating what the criteria for these are. According to the EU, this situation must be avoided. In the EU the intention was to make a clear distinction between “authorisation of placing on the market”, so that manufacturers could build standard vehicles on one hand, and obligations for the RU, which have to make sure that the vehicle is compatible with the infrastructure, on the other.

The **Secretariat** considered that this specific case set out more stringent requirements than the TSIs. As a consequence, trains from another country which comply fully with the TSI could be refused entry to CH.

CER expressed concern about the proposed amendment, particularly about the number of doors allowing independent access that would be required on trains and/or vehicles.

CH replied that it needed this specific case because CH was in the process of creating barrier-free accessibility to its public transport system. CH underlined that the number of doors was clearly defined and was limited on one door area per train, not per vehicle. It also explained that the principle of proportionality was important and (foreign) vehicles that operate only partly on the Swiss network could be covered by it. CH also underlined that its railway policy very much encouraged international trains to enter CH.

DE expressed concern about the practical consequences. For example, if the vehicle was already authorised, could the applicant, i.e. the manufacturer, assume that the infrastructure manager would

ensure this accessibility or that this accessibility would be checked when the vehicle is admitted (to operate in international traffic). DE wished to have coordinated procedures for the vehicle admission process because otherwise, the process could be blocked. DE added that although the platforms in Germany were the same height as those in CH, this requirement did not exist in DE or in the TSIs.

CH said this amendment would not affect the admission procedure. The current requirement was only noted in the first two paragraphs. To make matters simpler, CH proposed that all but the first two paragraphs could be placed in a footnote as an explanation or could be deleted.

DE expressed concern as to when this would be required. DE noted that the TSI only applies to new builds and renovated vehicles, i.e. not to existing vehicles.

CH replied that this requirement was permanent and already existed, whether the line is renovated or new.

CER pointed out that according to the amendment, when entering CH, TGV trains would be stopped, and as a consequence, huge investment in train/vehicle modifications would have to be envisaged. The procedure for exceptions was not clear either. CER reminded the meeting about the similar case concerning ramps in stations in FR, where instead of including them as a specific case in the PRM TSI, FR had to consider them as a national requirement.

CH explained that the reason for not building ramps in CH was the lack of space. With regard to trains arriving from outside Switzerland, whether TGV, ICE, ETR or trains from AT, each of them has a licence issued by the Swiss Federal Office of Transport (FOT) and none of these approvals would be revoked.

The **Chairman** summarised the discussion and proposed that the amendment should read as follows: “Wheelchair boarding: At least one door area per train set shall be designed to permit independent access for persons with reduced mobility. Platform height: 550 mm above rail level.”

The **representative of the EU** said that for the latter proposal, an additional impact assessment would be required. The EU wished to know whether the provisions referenced in the deleted text were still valid or not, i.e. would the possibility of exceptions be applicable or not?

CH replied that trains already operated without meeting the above-mentioned requirements. With regard to the principle of proportionality, although deleted, those provisions were enshrined in CH legislation and for new trains, they would be applied accordingly. With regard to the possibility of derogations from this requirement, it would still be possible to derogate, but only after authorisation by FOT.

The **representative of the EU** supported CER’s proposal that the amendment should be limited to new vehicles only. For existing vehicles the procedure was already defined in ATMF. The EU underlined that the amendment should be clear for manufacturers when they are building vehicles to be used on CH lines.

The **Secretariat** commented that if the specific case were to be limited only to new vehicles, it would not go beyond the scope of the UTP PRM. According to the scope of the UTP PRM, it applies to new rolling stock (including when it is subject to renewal or upgrading) and does not apply to existing rolling stock.

The **representative of the EU** added that in the case of existing rolling stock, when it is subject to renewal or upgrading, Article 10 §11 would apply and this specific case would not be applicable. He also noted that at the beginning of section 0, the equivalence between the UTP PRM and the PRM TSI should be described. Before the entry into force of the UTP, the correct reference to the EU provision enacting the TSI should be added.

The **Chairman** summarised the discussion and noted that there was a consensus, provided the amendment were changed as agreed:

“This specific case applies to new rolling stock. Wheelchair boarding: at least one door area per train set shall be designed to permit independent access for persons with reduced mobility. Platform height: 550 mm above rail level. Exceptions may be granted on the basis of the proportionality principle and in accordance with the applicable national rule.”

Vote:

The result of the vote concerning the new UTP PRM – Document A94-05/1.2014 v.04, including all the amendments listed above, was: 24 votes in favour (unanimous).

Decision:

CTE 7 adopted the UTP PRM, with the following amendments:

- The amendments in the meeting room document prepared for CTE 7, with the following amendment:
 - o The specific case for Switzerland for wheelchair boarding should read: *“This specific case applies to new rolling stock. Wheelchair boarding: at least one door area per train set shall be designed to permit independent access for persons with reduced mobility. Platform height: 550 mm above rail level. Exceptions may be granted on the basis of the proportionality principle and in accordance with the applicable national rule.”*
- An addition at the beginning of section 0, describing the equivalence between the UTP PRM and the PRM TSI. Before the entry into force of the UTP, the correct reference to the EU provision enacting the TSI should be added.

6.3 UTP MARKING

Document:

[A 94-09/1.2014 v03](#)

Draft UTP Marking

The **Secretariat** had prepared for adoption document UTP MARKING (A 94-09/1.2014, version 03) which had been submitted to CTE two months before the session. The additional comments the Secretariat had received on UTP MARKING had been taken into account in the meeting room document.

The UTP MARKING had been drafted in accordance with the decision of WG TECH 22 to develop a new and separate UTP for vehicle marking. The document contained regulations which had up to now been contained in Appendix PP to the UTP WAG. The UTP MARKING would be equivalent to the content of appendix 6 of the EU NVR specification (with the exception of part 4, which is already in the OTIF NVR specification), Appendix P to the OPE TSI and to tables for coding as

published on ERA's website. This resulted in consequential amendments in the: UTP WAG (CTE 7 agenda item 6.6) and NVR regulation (CTE 7 agenda item 6.7)

The **Chairman** noted that CTE would carry out further work on the modifications proposed in the meeting room document.

After explaining an **editorial** amendment, not noted in the meeting room document, concerning the first paragraph of Chapter 3 on page 3, that the country letter code should be underlined, the **Secretariat** explained the other amendments. Amendments **1 to 5** in the meeting room document concerned editorial and linguistic improvements.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN, FR, DE	Section 6, page 5, line 13 and line 16	Split the text in 2 columns: <i>where the vehicle is</i> Left column: <u>admitted to operation</u> Right column: <i>authorised to be placed in service</i>	Correct application of EU and OTIF wording.
2	EN, DE	Section 7, page 8, General remarks	Replace " appendix " by " section "	Semantic improvement as per RS proposal
3	EN, DE	Section 7, page 8, EVN structure	Replace 8 times " part " by " section "	Semantic improvement as per RS proposal
4	EN, DE	Section 7, page 9,	Replace 4 times " part " by " section "	Semantic improvement as per RS proposal
5	EN, FR, DE	Section 7, page 9,	Replace 3 times " appendix " by " UTP "	Semantic improvement as per RS proposal

The **Chairman** noted that the meeting supported the proposed amendments.

The **Secretariat** explained that the **6th and 7th** amendments concerned corrections to references on the EU side (right-hand column) and clarification that EU provisions on numbering are defined in TSI OPE and the NVR Decision.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
6	EN, FR, DE	Section 7, page 8, right column	(details in part 4 of NVR-Decision 756/2007/EC) (details in part 1 of NVR-Decision 756/2007/EC) (details in part 12 of NVR-Decision 756/2007/EC for the wagons, part 14 of NVR-Decision 756/2007/EC for the hauled passenger vehicles).	In the right column, for the sake of clarity, "of NVR-Decision 756/2007/EC" should be added in four cases.

7	EN, FR, DE	Section 8, page 9, lines 2-6	<p>A VKM is unique and valid in all countries covered by this</p> <p>Left column: this UTP</p> <p>Right column: TSI <u>OPE and NVR Decision</u></p> <p>and all countries that enter into an agreement that involves the application of the system of vehicle numbering and VKM as described in this</p> <p>Left column: this UTP</p> <p>Right column: TSI <u>OPE and NVR Decision</u></p>	To clarify that in the EU, the provisions on numbering are defined in TSI OPE and NVR Decision as amended by Decision 2012/757.
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The **Chairman** noted that on the meeting supported the proposed amendments.

The **Secretariat** explained that the 8th amendment as set out in the meeting room document concerned a footnote to the table, indicating that existing wagons whose number starts with 0, 1, 2 or 3 in accordance with previous regulations would also be included.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
8	EN, FR, DE	Section 11	<p>Insert footnote (b) after two separate word wagons:</p> <p>“(b) Including wagons, which according to previous regulations carry the digits defined in the present table”</p>	RS proposal to cover wagons which were built to previous standards, such as RIV.

CER supported this amendment.

The **Chairman** noted that on the meeting supported the proposed amendment.

The **Secretariat** explained that the 9th amendment in the meeting room document was an EU proposal to indicate Sweden only by the letter S.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
9	EN, FR, DE	Section 10, right column	‘Sweden — SE — 74’,	The typo was corrected by corrigenda published in Official Journal L 101 from 04/04/2014.

RS supported the amendment, but pointed out another inconsistency between the left and right hand columns of Section 10. In the left-hand column (OTIF column) BA uses two railway codes, i.e. 44 for the Railways of Republika Srpska (ŽRS) and 50 for the Railways of the Federation of Bosnia and Herzegovina (ŽFBiH). In the right-hand column (EU column) the EU uses 49 as the unique railway code for BA. RS proposed that the right-hand column should be aligned with the left-hand column.

CER and **UIP** confirmed that the left-hand column was correct (OTIF column).

ERA explained that the railway code for BA was used for information purposes only, as indicated in the respective NVR decision (at the beginning of the table).

The **Chairman** noted that the BA railway code used in the right-hand column could not be changed by CTE, as it was only reproducing the EU rules for information only.

The **Secretariat** explained that the 10th amendment in the meeting room document envisaged that EU MS should not send their applications for a new code to the OTIF Secretary General.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
10	EN, FR, DE	Section 14 to 18, Pages 16, 17, 20, 23 and 49	A new code can be used only after publication by ERA or OTIF . Add a footnote at the end of the sentence: <u>For EU Member States the applications should be sent to ERA.</u>	The lists and codes are only published on ERA website, not by OTIF. To clarify that ERA is responsible applications coming from the EU MS. Otherwise, it may be understood that applications coming from EU MS which are also OTIF CS may be sent either to ERA or to the SG.

The **Secretariat** explained that amendments 11 to 13 concerned footnotes which have been added for the purposes of traceability and usability, indicating the tables published on the ERA website to which this UTP is equivalent.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
11	EN, FR, DE	section 15, paragraph 2	At the end of the sentence add a footnote indicating the date of ERA document: <i>'Table equivalent to the one published on ERA website on 18.03.2014.'</i>	This would allow traceability. Otherwise it will be difficult to trace when this section of UTP Marking needs amendments due to change on EU side.
12	EN, FR, DE	section 16, paragraph 2	At the end of the sentence add a footnote indicating the date of ERA document: <i>'Table equivalent to the one published on ERA website on 20.01.2014.'</i>	This would allow traceability. Otherwise it will be difficult to trace when this section of UTP Marking needs amendments due to change on EU side.
13	EN, FR, DE	section 17, paragraph 2	At the end of the sentence add a footnote indicating the date of ERA document: <i>'Table equivalent to the one published on ERA website on 20.01.2014.'</i>	This would allow traceability. Otherwise it will be difficult to trace when this section of UTP Marking needs amendments due to change on EU side.

The **Secretariat** explained that amendments 14 and 15 in the meeting room document had been proposed in order to ensure consistency with the amendments to part 10 of the EU NVR Decision.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
14	EN, DE, FR	Section 15 (Page 18) Table 1, part: Sleeping car, Digits 7 3	The text should read: Reserved “< 10 2 nd class compartments”	For consistency with the amendments of the part 10 of appendix 6 to NVR Decision in the EU.
15	EN, DE, FR	Section 15 (Page 18) Table 1, Sleeping car, Digits 7 4	The text should read: Reserved “< 10 1 st class compartments”	For consistency with the amendments of the part 10 of appendix 6 to NVR Decision in the EU.

The **Chairman** noted that on the meeting supported amendments 9 to 15.

The **Secretariat** explained that the **16th** amendment in the meeting room document concerned an editorial correction.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
16	EN, DE, FR	Section 15 (Page 18) Note that lies between Table 1 and Table 2	Note: Fractions of a compartment are not considered. The equivalent accommodation in open saloon cars with centre aisle is obtained by dividing the number of available seats by 6, 8 or 10 depending on the construction of the vehicle.	Editorial correction, The same Note exists under Table 2.

ERA suggested that this Note under table 1 should be maintained, because it was easier to keep the Note twice than to explain that the note applied to two tables. .

The **Chairman** noted that there was no consensus in favour of deleting the Note.

The **Secretariat** explained that amendments **17** and **18** had been proposed in order to ensure consistency with the amendments to part 10 of the EU NVR Decision.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
17	EN, DE, FR	Section 15 (Page 18) Table 2, Vehicles of special design and vans, Digits 9 6	The text should read: Reserved “ Other vans ”	For consistency with the amendments of the part 10 of appendix 6 to NVR Decision in the EU.

18	EN, DE, FR	Section 15 (Page 19) Table 2, Maximum speed > 160 km/h, Digits 9 9	The text should read: “ A ¹ , A ² , G ² ”	For consistency with the amendments of the part 10 of appendix 6 to NVR Decision in the EU.
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The **Secretariat** explained that amendment **19** concerned an editorial correction.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
19	EN	Page 43	Replace “ STF ” by “ TSI ” two times	Editorial correction per RS proposal

The **Chairman** noted that on the meeting supported amendments **17 to 19**.

The **Chairman** asked **CER** to introduce its comments on the UTP MARKING.

In Chapter 6, **CER** proposed to add an additional footnote after the word ‘vehicle’ in the first sentence of the left-hand side. The footnote should read: “*Additional markings can be indicated on wagons in accordance with the ad-hoc appendix of the UTP WAG.*” **CER** explained that Section 5 of Appendix C to the UTP WAG allowed usage of the additional markings “GE” and “CW”, and this option should also be permitted in this UTP.

The **Chairman** summarised the discussion and noted that the meeting could support the amendment proposed by **CER** if it were amended to read: “*Additional marking may be affixed to wagons in accordance with the provisions set out in section 5 of Appendix C to the UTP WAG.*”

Vote:

The result of the vote concerning the new UTP MARKING – Document A94-09/1.2014 v.03, including all the amendments listed above, was: 25 votes in favour (unanimous).

Decision:

The CTE 7 adopted the UTP Marking, with the following amendments:

- The amendments in the meeting room document prepared for CTE 7.
- An additional footnote in section 6 after the word ‘vehicle’ in the first sentence of the left-hand side. The footnote reads: “*Additional marking may be affixed to wagons in accordance with the provisions set out in section 5 of Appendix C to the UTP WAG.*”

6.4 UTP GEN-A amendment (A 94-01A/1.2011, v.10)

Document:

[A 94-01A/1.2011 v10](#)

UTP GEN-A

The **Secretariat** had prepared for adoption document UTP GEN-A amendment (A 94-01A/1.2011, version 10), which was available on the OTIF website. The additional comments the Secretariat had received on UTP GEN-A had been taken into account in the meeting room document.

The **Secretariat** explained that these amendments were proposed in line with amendments to Annex III of Directive 2008/57/EC brought about by Directive 2013/9/EU. The main change was to introduce the new essential requirement: accessibility for persons with disabilities and persons with reduced mobility. The second main modification was related to the essential requirement ‘noise’ in section 1.4.4.

The **Chairman** noted that CTE would carry out further work on the modifications proposed in the meeting room document.

The **Secretariat** explained that amendments **1** to **6** were editorial and did not amend the substance of the document.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN, DE, FR	Footnote Nr. 1 (page 1)	“Directive 2008/57/EC of 17 June 2008 as amended by Directive 2013/9/EU of 11 March 2013, and as amended by xxxx Annex III to Directive 2008/57/EC of 17 June 2008 as amended by Directive 2013/9/EU of 11 March 2013, and as amended by Commission Directive 2014/38/EU”	Editorial change
2	EN, DE, FR	Section 0 (page 1) Right-hand column	The text should read: “ interfaces ”	typo
3	EN	Section 1.3.1 (page 2), Right-hand column	The text should read: “and railway infrastructure”	Alignment with the wording of Annex III to Directive 2008/57/EC
4	EN	Section 1.3.2 (page 2)	The text should read: “in such a way asto restrict”	Alignment with the wording of Annex III to Directive 2008/57/EC
5	EN	Section 2.4.1 (page 5), first paragraph	The text should read: “in such a way asto protect”	Alignment with the wording of Annex III to Directive 2008/57/EC
6	EN, DE, FR	Section 2.6.1 (page 7), second paragraph	The text should read: “ training ”	Alignment with the wording of Annex III to Directive 2008/57/EC

The **Chairman** noted that document was ready to vote on.

Vote:

The result of the vote concerning the UTP GEN-A amendments – Document A94-01A/1.2011 v.10, including all the amendments listed above, was: 25 votes in favour (unanimous).

Decision:

CTE 7 adopted the UTP GEN-A amendment, with the following amendments:

- The amendments in the room document prepared for CTE 7.

6.5 UTP GEN-C amendment (A 94-01C/1.2011, v.08)

Document:

[A 94-01C/1.2011 v08](#) UTP GEN-C

The **Secretariat** had prepared for adoption document UTP GEN-C amendment (A 94-01C/1.2011, version 08), which was available on the OTIF website. The additional comments the Secretariat had received on UTP GEN-C amendment had been taken into account in the meeting room document.

The **Secretariat** explained that these amendments were proposed in line with amendments to Annex VI Section 4 of Directive 2008/57/EC brought about by Directive 2011/18/EU, which mainly concerned editorial improvements and updates to legal references.

The **Chairman** noted that CTE would carry out further work on the modifications proposed in the meeting room document.

The **Secretariat** explained that amendments **1** to **3** were editorial and did not amend the substance of the document.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN, DE, FR	End of Footnote Nr. 1 (page 1)	“, and as amended by the Directive XXXX/XX/EU, published in the EU Official Journal L XX, XX.XX.2014”	The amendment of Annex VI to the Directive 2008/57/EC has been postponed
2	EN	Section 2, first bullet point (page 1)	The text should read: “documentation operating operation”	Alignment with the wording of Annex VI to Directive 2008/57/EC
3	EN	Section 2, fifth bullet point (page 3)	The text should read: “responsible for the ”	Alignment with the wording of Annex VI to Directive 2008/57/EC

The **Chairman** noted that the document was ready to vote on.

Vote:

The result of the vote concerning the UTP GEN-C Technical file – Document A94-01C/1.2011 v.08, including all the amendments listed above, was: 25 votes in favour (unanimous).

Decision:

CTE 7 adopted the UTP GEN-C Technical file, with the following amendments:

- The amendments in the meeting room document prepared for CTE 7.

6.6 Update of UTP WAG (A94-02/2.2012 v.08)

Document:

[A 94-02/2.2012 v08](#)

UTP WAG

The **Secretariat** had prepared for adoption document UTP WAG (A94-02/2.2012, version 08) which was available on the OTIF website. The additional comment had been taken into account in the meeting room document.

The **Secretariat** explained that the main changes to the UTP WAG were a consequence of the new UTP MARKING. The current reference to Appendix PP should be changed to a reference to the UTP MARKING. Consequently, Appendix PP should be deleted from the UTP WAG, as its content would be covered by the UTP MARKING. In addition, the amendments also concerned updates to the reference in Appendix G to the latest list of approved composite brake blocks and minor changes to Appendix I in order to reflect correctly the EU TSI OPE.

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN, DE, FR	Appendix I, Safety management provisions (page 84)	The text should read: “All vehicles in a train must be connected to the continuous automatic braking system. The first and last vehicles (including any traction units) in any train must have the automatic brake operative”	Alignment with the text of TSI OPE, chapter 4.2.2.6.1.

The **representative of the EU** requested clarification about the version of UTP WAG which would apply after this CTE, i.e. would CTE vote on the modification of UTP WAG or would the Member States be notified of the new version of UTP WAG, which would subsequently replace the previous version.

The **Secretariat** explained that the Member States would be notified of the new version of UTP WAG that will replace the existing version, in accordance with the notification procedure.

The **Chairman** noted that CTE would vote on UTP WAG as a whole, and not on the separate amendments to UTP WAG. The version put to the vote would replace the existing version. OTIF would publish the consolidated new version.

Vote:

The result of the vote concerning the UTP WAG: rolling stock - freight wagons – Document A94-02/2.2012 v.08, including all the amendments listed above, was: 25 votes in favour (unanimous).

Decision:

CTE 7 adopted the UTP WAG: rolling stock - freight wagons, with the following amendments:

- The amendments in the meeting room document prepared for CTE 7.

The following was noted: the version put to the vote will replace the existing version. OTIF will publish the consolidated new version.

6.7 Update of NVR Specification (A94-20/2.2012, version 02)

Document:

[A 94-20/2.2012 v02](#)

National Vehicle Register

The Secretariat had prepared for adoption document NVR Specification (A94-20/2.2012, version 02) which was available on the OTIF website. The additional comment had been taken into account in the meeting room document.

The Secretariat explained that the main consequence of the new UTP MARKING was the replacement of the current reference in "1.Data, 1.Vehicle number, Content", by "*Unique vehicle number as defined in the UTP for vehicle marking*".

Amendment number	Language version	Point as it is now (section and page)	Amendment proposal	Justification/comment
1	EN, DE, FR	Introduction between (3) and (4) (page 1)	Insert between (3) and (4) (4) "The European Commission Decision 2011/107/EU has been amended by Decision 2012/757/EU with respect to vehicle marking. These changes are not reflected in this NVR regulation, but in the UTP Marking."	

The **representative of the EU** asked whether explanation (3) in the introductory part of the NVR specification could be deleted, because it concerned an old explanation that aligned the first version of the NVR and Decision 2011/107/EU, and was therefore no longer valid.

CER asked whether all the references to EU decisions were noted in the introductory part of the NVR specification.

The **Secretariat** explained that the NVR specifications had been prepared on the basis of Decision 2011/107/EU, without taking into account all the subsequent decisions, amendments and regulations. The Secretariat proposed to avoid further referencing and to include a general statement instead.

The **representative of the EU** commented that for the purpose of traceability all references should be noted.

UIP commented that the confusion that might ensue as a result of so many references should be avoided. UIP supported the Secretariat's proposal. In addition, UIP proposed that points (3) and (4) of the introductory part of the NVR specification should be combined.

The **Chairman** summarised the discussion and noted that CTE agreed on simpler wording but that at the same time, references should be traceable.

The Secretariat combined points (3) and (4) and proposed: “The NVR specifications in this document have been prepared on the basis of European Commission Decision 2007/756/EC as subsequently amended. Some of these amendments are not reflected in this NVR regulation, but in the UTP Marking.”

The **representative of the EU** requested clarification concerning the decision part of the NVR specification. The EU said that rather than referring to A92-20/1.2009, decision 1 should refer to the existing NVR specification. According to the existing decision 1, only the Annex to the NVR specification is repealed. Consequently, only the Annex should be changed and the decisions should remain valid. Also, with regard to decision 3, the EU was of the view that CTE should avoid defining retroactive obligations. The EU proposed that decisions 2, 3 and 4 should remain in force and that existing the NVR specification, although updated, should remain available.

CH agreed with the EU’s opinion, but also noted that decision 3 was a note, not a decision. The second part of the paragraph could be deleted or else it should be explicitly stated that the retroactive provision would not be applied.

RS supported the EU’s proposal.

The **Secretariat** supported the EU’s proposal that decisions 2, 3 and 4 should remain in force, and suggested that instead of having different documents specified in many places, OTIF should have a single, complete version of the NVR specification as a reference.

The **representative of the EU** suggested that the Secretariat could be mandated to produce a consolidated version of the NVR specification and to publish it.

The **Chairman** summarised the discussion and noted that CTE would vote:

- on the amendment of Annex to the NVR Specification,
- on the amendments made to the introductory part of the NVR specification, and
- on the mandate to the Secretariat to produce the consolidated version and to publish it.

The **Chairman** also noted that decisions 2, 3 and 4 remain in force.

Vote:

The result of the vote concerning the NVR Specification – Document A94-20/2.2012 v.02, including all the amendments listed above, was: 25 votes in favour (unanimous).

Decision:

CTE 7 adopted the NVR Specification, with the following amendments:

- The Annex to document A 94-20/2.2012 dated 01.03.2013 was replaced by the Annex to the document on updating the NVR Specification as submitted to CTE 7.
- Decisions 2, 3 and 4 of document A 94-20/2.2012 dated 01.03.2013 remain in force.
- The introduction to the document was amended as follows:
 - o A new point (6) was added in accordance with the document as submitted to CTE 7, which reads: “*Version 2 of this document contains editorial amendments necessary*”

for correct references after entry into force of the UTP Marking and the UTP LOC&PAS and in order to maintain consistency with the UTP WAG.”

- Point (3) would be amended and would read: *“The NVR specifications in this document have been prepared on the basis of European Commission Decision 2007/756/EC as subsequently amended. Some of these amendments are not reflected in this NVR regulation, but in the UTP Marking.”*
- The OTIF secretariat will publish a consolidated new version of the NVR Specification on its website, including the amendments adopted by CTE 7.

7. Status of notifications of the national technical requirements according to Article 12 APTU (for information)

The **Secretariat** explained that for this item there had not been any changes since CTE 6. However, after notifying the Member States of the newly adopted UTP LOC&PAS, the OTIF Secretariat would ask non-EU Contracting States to notify their national technical requirements according to Article 12 § 1 of APTU.

Conclusion:

CTE noted the information from the Secretariat without further comment.

8. Consultation of non-EU OTIF MS on draft TSIs (for information)

The **Secretariat** explained that last year, OTIF had sent a circular to all non-EU OTIF Member States informing them about the possible transposition of TSIs into UTPs, asking them to comment on the draft TSIs. The non-EU OTIF MSs were consulted on the following TSIs:

- 1) TAF, where the comments received, together with OTIF’s comments, were forwarded to ERA on 22 October 2013. According to feedback from ERA, most of the comments had entailed amendments to the TSIs.
- 2) OPE, where the comments received from CH and UA were forwarded to ERA on 22 October 2013.
- 3) CCS, where a comment received from CH was forwarded to ERA on 9 December 2013. According to feedback from ERA, the comments from CH were not reflected in the text of the TSI, but CH had been provided with appropriate justification for this via OTIF.

Conclusion:

CTE noted the information from the Secretariat without further comment.

9. Joint OTIF/ERA registers for VKM and ECM (for information)

Document:

[A 95-00/1.2014 v01](#)

Joint OTIF-EU registers for VKM and ECM

The **Secretariat** explained that document A 95-00/1.2014 v01 contained a comprehensive overview for CTE of how the task of combining the OTIF/ERA registers for VKM and ECM had been carried out.

The **Secretariat** reminded the meeting that CTE 6 had mandated the OTIF Secretariat to establish a joint OTIF – EU register for ECM certification bodies and certified ECMs. According to the Administrative Arrangements between OTIF, DG MOVE and ERA, which were followed by the management meeting on 19 December 2013 in Brussels, it was decided to have the joint registers operational by 1 April 2014. As a result of intensive cooperation between OTIF and ERA, this task was completed by 1 April 2014 and since then, the joint registers had been operational. All the OTIF Member States had been informed about the joint registers in a circular.

The obligations for non-EU OTIF CSs in terms of the ECM registers had not changed, i.e. the OTIF Secretariat remains the contact point which will forward any information to ERA. The procedures for submitting an application for a new VKM code or to change or revoke it remain the same in the EU and in the non-EU OTIF CSs. The procedures for notifying and updating the ECM register in the EU had not changed, but the non-EU certification bodies had the opportunity to introduce or change ECM certificates in the ECM register directly.

The **Secretariat** emphasised the advantages for the sector:

- **For the ECM registers**, only one database for ECM and ECM certification bodies hosted on the ERA website need be consulted to obtain a complete picture for the EU and non-EU OTIF Member States.
- **For the VKM register**, only one register for VKM codes hosted on the ERA website need be consulted to obtain a complete picture for the EU and non-EU OTIF Member States and for some important States in the Eurasian region.

The joint OTIF/ERA VKM register is published in four languages: English, French and German (OTIF's working languages) and Russian in order to cooperate with OSJD.

The **representative of the EU** congratulated OTIF and ERA on the good progress that had been made.

Conclusion:

CTE noted the document and the Secretariat's explanation without further comment.

10. Status of the development of the NVRs in Contracting States (for information)

Document:

[A 94-20/1.2014 v01](#)

Status of the development of the NVRs in the Contracting States

The **Secretariat** explained that document A 94-20/1.2014 v01 contained a comprehensive overview of the status of the development of the NVRs in the Contracting States (without OTIF-EU Member States and Norway). The information was last updated at the beginning of May 2014.

The information was based on the ECVVR 1.4 in operation and available to Member States as from 15 October 2013. The Secretariat received information from both EU and non-EU Contracting States:

- **17 EU OTIF Member States**, plus Norway, have their NVR connected to ECVVR: Austria, Belgium, Croatia, Czech Republic, Denmark, Estonia, France, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovak Republic, Slovenia;

- **2 non-EU OTIF Member States** have their NVR connected to ECVVR: Serbia, Switzerland;
- **2 non-EU OTIF Member States:** purchase of ERA software in progress: Montenegro and Turkey;
- **1 non-EU OTIF Member State:** NVR at advanced stage of development: Bosnia and Herzegovina.

CER expressed surprise that some large countries were still not connected to ECVVR, noting at the same time that this was not good for interoperability. **CER** asked why, if 17 out of the 28 EU Member States already applied the ECVVR, why were the others not applying it?

The **Chairman** noted that those States that were not indicating their vehicles in the international register would have problems in international traffic. Apparently, these vehicles seemed to operate without any problems even though they were not registered.

ME said that although the ERA software had been purchased and despite the fact that **ME's** IT support services were in constant contact with ERA's desk support, the system was still not functional. **ME** requested more support from ERA.

The Chairman, speaking as the representative of **CH**, confirmed that **CH** had also experienced problems in terms of interconnection and programming the interface. The **Chairman** asked ERA to provide as much support as possible, so that the difficulties various countries were encountering could be resolved.

The **representative of the EU** agreed that this problem of interconnection should be resolved. In that sense the EU supported **ME's** proposal. The EU would organise a meeting with **CER** to locate the problem and to try to define the next steps. The EU confirmed that some EU Member States also had problems with the translation engine between NVR and the central server, which was hosted and maintained by ERA.

In reply to the Chairman's comment on the need to draw up a systematic list of problems, **ERA** said that the process of identifying problems had already been started. **ME** was invited to contact ERA for help and support in that context.

Conclusion:

CTE noted the document and the Secretariat's explanation without further comment. CTE also noted that those countries that have difficulties in programming the software for applying ECVVR should contact ERA. In response, ERA would provide support in resolving this problem.

11. Work Programme of the Committee of Technical Experts for 2014 and beyond (for discussion)

Document:

[A 92-03/1.2014 v01](#)

**Strategy and work programme for the OTIF
Technical section for 2014 and 2015**

The **Secretariat** explained that the aim of this item was to provide a comprehensive overview of the priorities and mandates for the next period, i.e. what WG TECH should work on in order to prepare the next CTE meeting. The Secretariat informed CTE that the work of OTIF's Technology Section

was ahead of the initially planned schedule for almost all aspects for Level 2 - passenger carriages (planned for 2015):

- UTP LOC&PAS with vehicle related provisions for PRM and SRT, where CTE 7 had adopted the respective documents.
- Safety management provisions, where CTE 7 had proposed changes to ATMF to the Revision Committee, and
- Single admission for coaches, which was discussed at the joint OTIF-ERA workshop on inter-vehicle interfaces for passenger coaches, held in February in Bonn. ERA had subsequently set up a working party to add conditions for the application of Article 23(1) of the Interoperability Directive (unique authorisation) to the TSI LOC&PAS. The OTIF Secretariat had also participated in this working party.

The **Secretariat** had prepared document A 92-03/1.2014 v01 – Strategy and work programme for the OTIF Technical section for 2014 and 2015 and proposed that OTIF's Technology Section should focus its activities on the following priorities:

- Develop a new UTP covering operational responsibilities for the operational participants (i.e. RU, keeper, ECM), based on the new ATMF;
- Develop additional requirements for a single admission for passenger coaches to be annexed to both the UTP and the TSI LOC&PAS, within the framework of an ERA Working Party;
- Analyse the need to define voluntary harmonised technical solutions for vehicle-vehicle interfaces for passenger coaches, based on the input from CER (resulting from the joint OTIF-ERA workshop);
- The revision of the UTP NOI, following the adoption in the EU of the associated TSI (for the next WG TECH, the OTIF Secretariat will submit a draft revised UTP NOI);
- Amendment of the UTP WAG, if necessary, due to e.g.:
 - the closing of open points in the CCS TSI, which will then entail the revision of appendix H of UTP WAG;
 - The revision of the OPE TSI, which will require revision of appendix I of the UTP WAG.
- Consider amendments to the UTP GEN-D (assessment methods), depending on developments in the EU;
- Consider amendments to Annex A to ATMF (ECM regulations), depending on developments in the EU;
- Develop application guide(s), in particular for UTP LOC & PAS (based on UTP WAG);
- Further development of activities in connection with the dissemination of information and monitoring of OTIF rules;
- Conduct studies in strategic areas.

CER informed CTE that, following the joint OTIF-ERA workshop, the final letter to OTIF and ERA⁶ would be sent at the end of next week (by 13 June 2014). CER expressed concern about the ERA Working Party (for TSI LOC&PAS), firstly because there had been no feedback from the above-mentioned letter, and secondly, because the ERA WP would be working on all vehicles, irrespective of whether there were still any unresolved problems concerning coaches. With regard to an initial proposal for a new UTP covering operational responsibilities, CER informed CTE about the work of the GRB Group (Group of Representative Bodies) chaired by Gilles Peterhans of UIP, which would result in a case-based document in which all the participants in the rail transport process, i.e. consignor, loader, RU, ECM, manufacturer, consignee, would be aware of their obligations and responsibilities. This document would be finalised and sent to NSA and ERA by the end of July.

UIP also expressed concern about developing operational responsibilities, because three working groups were discussing the same topic at the same time. UIP said this should be avoided. UIP asked the OTIF Secretariat about plans for further work in which the new UTP would cover operational responsibilities, i.e. what would be more useful, to work in parallel or to await the results of the other WG?

With regard to operational responsibilities, the **Secretariat** replied that OTIF had drafted Article 15a of ATMF and the appendices in UTP WAG and UTP LOC&PAS in which the preparation of trains and responsibilities for the correct use of vehicles were defined. OTIF should attempt to agree as much common ground as possible in defining operational responsibilities, particularly in connection with the with EU regulations. OTIF's main concern should be to provide a legal basis for interoperability between OTIF CSs in terms of common operational and safety aspects.

The **Secretary General** of OTIF agreed with UIP that it was inappropriate to develop autonomous regulations concerning operational responsibilities. OTIF would certainly await the letter from CER and the results of the GRB Group.

The **representative of the EU** noted that there was no plan for developing separate operational responsibilities for all railway actors at EU level and that this issue should be clarified. The EU suggested that OTIF could prepare a guide setting out the operational responsibility of each participant. The EU supported other items in the work programme for OTIF's Technical Section. With reference to the comments from CER concerning the ERA WP for TSI LOC&PAS, the EU asked the OTIF Secretariat what impression it had gained, as OTIF participated in the ERA WP.

The **Secretariat** confirmed that it had attended the ERA WP. The Secretariat also shared CER's concerns because ERA intended to cover all types of vehicles in the scope of the LOC&PAS TSI. It seemed more pragmatic to start with passenger coaches, for two reasons: on the one hand the complexity of coaches is limited and results could therefore be achieved in a short time and on the other hand, there was a practical requirement in terms of coaches now that the RIC was no longer the basis for admission. OTIF had expressed this position at the first ERA WP meeting⁷.

The **Chairman** suggested that as a first step, the OTIF Secretariat and ERA should discuss passenger coaches and only discuss other vehicles at a later stage.

⁶ Letter concerning requirements in terms of the harmonisation of provisions for passenger coaches in international traffic.

⁷ TSI LOC&PAS - WP "Unique authorisation" held only once, in ERA premises, Lille, 8 April 2014

The **Secretariat** proposed that the item in the work programme concerning operational responsibilities could be adapted to the discussion, i.e. the text could read: “Develop a new UTP document/instrument covering/explaining operational responsibilities for the operational actors (i.e. RU, keeper, ECM), based on the new ATMF.”

The **Chairman** summarised the discussion and proposed that whether there was a new UTP operations or whether there was some other reference document, it should be left to WG TECH to make a decision. The Chairman also underlined the UIP’s work, according to which all the railway actors would have their own clear responsibilities.

DE commented on the question of participation in discussions on operational responsibilities. It was agreed that after CER, UIP and the sector had finished their discussions, the safety authorities would join them in a second step. This information could be interesting in terms of defining the right time for OTIF to enter into these discussions.

CER supported DE and asked whether ERA could also join these discussions.

The **Chairman** concluded that CTE had discussed the work programme for 2014 and beyond. The first three positions had to be dealt with carefully; CTE noted that it was important to ensure that there was good coordination between OTIF and UIP; the question of single admission, like UTP WAG 7.1.2, should be the focus of the work on passenger coaches.

12. Any other business

Alignment of RID regulations and ATMF

The **representative of the EU** explained that this proposal was partly the result of a discussion led by EU committees (for interoperability and safety and for dangerous goods) and partly the result of some of the provisions of RID. Although RID had been in existence long before ATMF and CTE, and even before the Railway Interoperability and Safety Committee (RISC) had developed the Interoperability Directive and TSIs, in the present circumstances the two different approaches (of RID and ATMF) should be reconciled.

The **representative of the EU** pointed out some of the inconsistencies: according to Article 3 §2 of ATMF, railway vehicles must satisfy the construction and equipment requirements of RID, which meant that UTP WAG itself was not sufficient for the admission of wagons. The question remained as to why not all the provisions for wagons are in the UTP WAG. Another inconsistency with UTP existed in RID Chapter 6.8, where it was not clearly stated who the conformity assessment body is and how such a provision was checked before a wagon was admitted to operation.

CTE was authorised to adopt numerous technical provisions which should be applicable to all freight wagons, including dangerous goods wagons.

The EU proposed that CTE and the RID Committee of Experts should set up a joint working group with the aim of aligning the APTU appendices with RID, where necessary.

The **Secretary General** of OTIF said that OTIF supported the EU’s proposal, which was in line with the OTIF/DG MOVE/ERA Administrative Arrangements. This issue had also been discussed with the head of OTIF’s RID Section. OTIF added two comments with regard to the proposed working group. The first comment concerned the scope of the work, i.e. the terms of reference of the joint working group. RID was harmonised both with ADR and with SMGS Annex 2, meaning that provisions which were in RID had a broader scope broader than those of OTIF and the EU. The

second comment concerned legal issues, where the RID provisions were transposed into EU legislation directly by an EU Directive. As a result, ATMF and RID issues must be very clearly separated.

The **Chairman** underlined the complexity of the work and noted that CTE should also consider specific tasks for CTE and for the RID Committee of Experts. The Chairman summarised that further work could be continued either by forming this joint working group or by selecting somebody (persons) or a body to define the scope of work of this working group.

With regard to the proposal, **DE** said it was not in a position to give its opinion and could not support setting up a joint working group, because there had not been sufficient time to coordinate with those responsible for ATMF and RID in DE. At the same time, DE could not accept that CTE should take a decision on this without consulting the RID Committee of Experts. If CTE and the RID Committee of Experts did not both conclude that such a joint working group was necessary, CTE would face the same problem already noted by the EU.

The **Secretary General** of OTIF informed CTE that this issue would be discussed at the next RID meeting. **UIP** said it was unable to give its opinion, because there had not been time to consult within UIP. Referring to the numerous meetings under the aegis of the UN, UIP wondered how this proposal would fit in with UN procedures and the UN process for amending the dangerous goods legislation.

The **Secretary General** of OTIF confirmed that this proposal dealt with very complex issues. He pointed out that there had to be a starting point somewhere. He explained that the main issue from the OTIF perspective was to set up a working group which could clarify this issue. He also noted that at this stage, CTE would not come to a conclusion.

CER supported the proposal that all provisions concerning wagons should be in one place.

The **representative of the EU** commented that notwithstanding the coordination with different entities dealing with dangerous goods, including the UN, RID was part of the law of COTIF and the RID Committee of Experts was competent to adopt modifications to it. The EU would support discussions between CTE and the RID Committee of Experts in the future with a view to align both Appendices to COTIF.

The **Secretary General** of OTIF supported the idea of setting up this joint working group. Although the Secretary General had the competence to set up this joint working group, it would be more appropriate to announce it beforehand to both OTIF committees, so that they could express their points of view. After hearing the discussion, the **Secretary General** noted that there were no objections on the part of CTE in principle. He justified this with the fact that only one State was not in a position to give its view and state its official position. It could therefore be taken as understood that OTIF should continue exploring solutions and place this issue on the agenda of the next session of the RID Committee of Experts' standing working group in November 2014.

The **Chairman** concluded that CTE noted the EU's proposal. OTIF should try to ensure that this issue is discussed at the RID Committee of Experts' standing working group at the end of the year and, if it agreed, a joint working group could be set up at the beginning 2015 to deal with these questions in substance.

Representation of OTIF in ERA working parties by experts from Member States (for information)

The **Secretariat** explained that this arose in accordance with the OTIF/ DG MOVE/ERA Administrative Arrangements.

The idea was that the Secretariat would draft a document explaining what was expected from OTIF experts (who would not be members of the OTIF Secretariat, but would be from non-EU CSs) when they participate in ERA meetings. The document would point out, for example, that the expert's comments should be based on COTIF, that he should speak on behalf of OTIF for all non-EU CSs and that he should provide the Secretariat with feedback in writing about the meeting (report). The Secretariat would prepare a short position paper before the (first) meeting covering the issues to be dealt with, which could be useful as a guideline for the OTIF expert. These were the main elements that would be covered in a document entitled 'practical written procedure for the involvement of external experts'.

The **Chairman** concluded that CTE noted the Secretariat's information without further comment. CTE also noted that the OTIF non-EU Member States could contact the OTIF Secretariat to organise such work.

13. Next session

The Secretariat proposed that the next (8th) session of CTE should take place on 10 and 11 June 2015, probably in Bern.

The **Secretariat** also proposed the following dates for the next sessions of the working group WG TECH:

- 23rd session on 10 and 11 September 2014 in Bern
- 24th session on 2 and 3 December 2014 (venue to be decided)
- 25th session in February 2015 (date and venue to be decided)

The **CTE** agreed on these dates.

CLOSING REMARKS

The **Chairman** summed up by saying that CTE had worked very well, with the result that three new UTPs had been adopted. He also thanked particularly all those who had worked behind the scenes, i.e. OTIF's Technology Section, which had prepared all the documents, with support from ERA and the European Commission. He thanked OTIF's General Secretariat, which had ensured that the meeting room was prepared and that the organisational arrangements had been taken care of. He also thanked the observers, as they were in fact the users of the specifications that CTE adopted. He noted the cooperative working atmosphere, in which many apparent obstacles could be overcome. He also thanked the interpreters and closed the 7th session of CTE. He also thanked in particular Peter Sorger and Bernard Alibert, both of whom would soon be enjoying their well-earned retirement.

The **representative of the EU** thanked the OTIF Secretariat for preparing all the documents and UTPs in a very short time. The EU particularly thanked Peter Sorger, especially for the work and

cooperation he had provided in the period when mediation between OTIF and the EU had been underway.

The Secretary **General** of OTIF thanked the Chairman for his excellent chairmanship of the meeting and completion of the agenda. He thanked all the participants for attending the CTE and for their constructive discussions. He also thanked Peter Sorger, who had been a great asset for OTIF, and Bernard Alibert, whose knowledge, honesty and modesty were of enormous value at the CTE meetings.


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 Hat sich entschuldigt.
 Send apologies

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