



Organisation intergouvernementale
pour les transports internationaux
ferroviaires (OTIF)

Zwischenstaatliche Organisation
für den internationalen
Eisenbahnverkehr (OTIF)

Intergovernmental Organisation
for International Carriage
by Rail (OTIF)

WG TECH

15th session

Provisional Minutes

(with delegates' corrections)

Ljubljana, 16-17.11.2011

Table of contents

	Page
AGENDA	5
DISCUSSIONS	6
1. APPROVAL OF THE AGENDA	6
2. ELECTION OF CHAIRMAN	6
3. APPROVAL OF THE MINUTES OF THE 15TH SESSION OF WG TECH	6
4. UNIFORM TECHNICAL PRESCRIPTIONS (UTP)	6
4.1 UTP NOI ROLLING STOCK - NOISE	6
5. UNIFORM FORMAT OF CERTIFICATES (TYPE & OPERATION)	8
6. OTIF REGISTER SYSTEM - ROLLING STOCK; NATIONAL VEHICLE REGISTER	8
6.1 AMENDMENTS TO DOCUMENT A 94-20/1.2009 ADOPTED AT THE 3RD SESSION OF THE COMMITTEE OF TECHNICAL EXPERTS (FEBRUARY 2009)	8
6.2 OTIF REGISTER OF ADMITTED TYPES OF VEHICLES (RAT)	9
7. ATMF, ARTICLE 15 § 3 -“ENSURE OR ASCERTAIN”	9
8. PREVENTIVE MEASURES TO REDUCE THE RISK OF DERAILMENT IN FREIGHT TRAFFIC	10
9. WORK PROGRAMME OF THE COMMITTEE OF TECHNICAL EXPERTS FOR 2012 AND 2013	10
10. ANY OTHER BUSINESS	10
11. NEXT SESSION	10
ANNEX I LIST OF PARTICIPANTS	
ANNEX II LIST OF DOCUMENTS	
ANNEX III PROPOSAL TO AMPLIFY THE EXPLANATORY NOTES ON ARTICLE 15 ATMF MODIFIED BY CER	

AGENDA

1. Approval of the agenda
2. Election of chairman
3. Approval of the minutes of the 15th session of WG TECH
Provisional minutes (with delegates' corrections)
4. Uniform Technical Prescriptions (UTP)
 - 4.1 UTP NOI Rolling Stock - Noise

A 94-04/2.2011	UTP NOI Rolling Stock -Noise
-----------------------	------------------------------
5. Uniform format of certificates (Type & Operation)

A 93-01/2.2011	Uniform format of certificates (Design Type & Operation)
-----------------------	--
6. OTIF Register system - Rolling Stock; National Vehicle Register
 - 6.1 Amendments to document A 94-20/1.2009 adopted at the 3rd session of the Committee of Technical Experts (February 2009)

A 94-20/3.2011	National Vehicle Registers (NVR) amendments
-----------------------	---
 - 6.2 OTIF Register of admitted types of vehicles (RAT)
7. ATMF, Article 15 § 3 -“ensure or ascertain”

A 93-01/1.2011	Proposal for amplification of the Explanatory notes to ATMF, Article 15
-----------------------	---
8. Preventive measures to reduce the risk of derailment in freight traffic

Det Norske Veritas study for ERA	Assessment of freight train derailment risk reduction measures: B3 – Top ten ranking of safety measures
---	---
9. Work programme of the Committee of Technical Experts for 2012 and 2013

A 92-03/2.2011 rev1	Work programme of the Committee of Technical Experts for 2012 and 2013
----------------------------	--
10. Any other business
11. Next session

DISCUSSIONS

Welcome by the Secretariat of OTIF

Mr Karl Erik **Raff** thanked the Slovenian Ministry of Transport for the invitation to Ljubljana and Slovenske Zeleznice (Slovenian Railways) for providing a beautiful meeting room for this session. He welcomed the participants, particularly Mr. Endlicher from Austria, Ms. Petic from Bosnia and Herzegovina, Mr. Poli from Italy, Ms. Stosic from Serbia and Mr. Princic from Slovenia, who were participating in the working group for the first time, and opened the session. The representative of Slovenia welcomed the participants to Ljubljana and to the premises of Slovenske Zeleznice and wished WG TECH a successful meeting.

1. Approval of the agenda

The **Secretariat** explained that the provisional agenda had been sent to participants with the invitation on 10 March 2011 (circular **A 92-03/502.2011**). **CER** (by e-mail) had requested that items 4.1, 5 and 7 be deferred until its delayed arrival, which was due to bad weather conditions in Slovenia. WG TECH approved this change to the order of the agenda.

2. Election of chairman

The **Secretariat** proposed Mr Roland Bacher (Switzerland) to chair this session.

WG TECH unanimously elected Switzerland, in the shape of Mr Roland Bacher, to chair this session.

3. Approval of the minutes of the 14th session of WG TECH

Document: **Provisional minutes (with delegates' corrections)**

The **Secretariat** had amended the provisional minutes in accordance with the corrections requested by the participant from the Republic of Serbia.

Conclusion:

The minutes of the 14th session of WG TECH were approved.

4. Uniform Technical Prescriptions (UTP)

4.1 UTP NOI Rolling Stock - Noise

Documents: **A 94-04/2.2011** UTP NOI Rolling Stock - Noise

The **Chairman** reminded the meeting that the noise issue was a very difficult and politically sensitive subject. Three main aspects should be kept in mind in seeking a solution: consistency with social, economic and environmental aspects.

RS asked that the same transitional period be provided for UTP NOISE (2 to 5 years) as had been granted to the EU MS in accordance with Commission Decision 2006/66/EC (first version of TSI Noise), with the same purpose as in the EU, namely to allow the non-EU industry the same transitional period in which to align with the new requirements.

The representative of the EU explained that such a transitional period would mean accepting vehicles into the EU from third countries not applying the TSI and at the same time, requiring the EU MS to apply the TSI Noise. ATMF Article 3a would enable buyers of rolling stock situated in the EU to circumvent the demanding EU TSI by having their rolling stock approved in a non-EU MS. This would not be acceptable to the EU.

ERA considered that such a transitional period was theoretical and that it would send politicians the wrong signal.

DE proposed making use of the possibility of derogations in accordance with Article 7a of ATMF to solve the problem. Allowing another noise level would defeat the principle of cross acceptance and require re-authorisation for entering Germany.

Instead the possibility of derogations according to Article 7a of ATMF should be used and a procedure for granting derogations should be adopted by the CTE. The **Secretariat** suggested setting up a small group to draft such a procedure.

The representative of the EU offered to prepare a draft procedure based on Article 9 of IOD 2008/57/EC.

The **Secretariat** would organise a meeting of this small group to discuss the EU proposal with the aim of submitting it to the next meeting of WG TECH.

DE also opposed the general transitional provision in point 0.2, which exempted vehicles approved between 01.12.2010 and the entry into force of the UTP NOI from re-approval, as is the case in ATMF Article 19 for other existing vehicles, and proposed that this transitional provision should not be subject to Article 3a of ATMF for vehicles going to the EU. The Commission could accept the text proposed by the Secretariat as the EU had accepted a similar text in the adopted UTP WAG.

Conclusions:

1. WG TECH mandated the Secretariat to organise a meeting in mid January 2012 of a small group on “derogations” to prepare Annex B to ATMF concerning the procedure for granting derogations.
2. EU would prepare a draft of Annex B to ATMF based on Article 9 of IOD 2008/57/EC.
3. The small “derogations” group “” would prepare a proposal for Annex B to ATMF and submit it to the next session of WG TECH (14 and 15 February 2012).

5. Uniform format of certificates (Type & Operation)

Document: **A 93-01/2.2011** Uniform format of certificates (Design Type & Operation)

Article 12 of ATMF requires OTIF to prescribe the uniform format of the certificates.

The **EU** had not had time to coordinate a formal EU position. On behalf of the Commission, **the representative of the EU** welcomed OTIF's draft uniform certificates. He proposed to split the document into two parts, one part concerning the formats and how to fill in the various fields and the other part (guideline) setting out the procedures with regard to the certificates.

RS objected to the introduction of re-registration, which would impose the need for a new certificate without any changes having been made to the vehicle.

The **Secretariat's** view was that re-registration might be needed in the following cases:

- upgrades involving technical modifications (change in position 4 to 8, or even position 1 and 2 of the 12 digit wagon number)
- wagon re-registered in another country (change in position 3 and 4 of the 12 digit wagon number). This re-registration is allowed in the EU until the end of 2013 (see Article 3 of Commission Decision 2011/314/EU of 12 May 2011) but only if the vehicle is sold or hired out for a longer period.

The representative of the EU thought that issues concerning re-registration should be in the NVR regulation or ATMF and not in the document concerning the uniform format of certificates.

Conclusion:

As ERA was working on the uniform format of PIS (placing into service), WG TECH mandated the OTIF Secretariat and ERA to prepare a common EU/OTIF uniform format for this.

6. OTIF Register system - Rolling Stock; National Vehicle Register

6.1 Amendments to document A 94-20/1.2009 adopted at the 3rd session of the Committee of Technical Experts (February 2009)

Document: **A 94-20/3.2011** National Vehicle Register (NVR) amendments

The **Secretariat** explained that the document had been prepared for adoption. Its purpose was to transpose Commission Decision 2011/107/EU, amending Decision 2007/756/EC adopting a common specification of the national vehicle register, into the OTIF regulations by updating the amendments to the COTIF regulations on National Vehicle Registers (NVR) (document A 92-20/1.2009). All the amendments to the 2009 document were shown in the "track changes" mode. The Secretariat reminded the meeting that some MS still did not have the NVR in place. If this document were adopted at the 5th session of the Committee of Technical Experts in May 2012 and notified to the MS by the end of May 2012, it would enter into force on 1 November 2012 and all NVRs should be operational by 1 May 2013. Some data elements were changed, e.g. data elements 5bis, 9. A substantial change was made to data element 7 (owner), which was made compulsory.

The outcome of a discussion between **the representative of the EU, the Chairman, RS and ERA** on whether to update the whole document from 2009 or to replace it completely was that the Appendices to the decision would be replaced (withdrawn and put into force again) and the decision part would be updated.

After a thorough discussion in which **the representative of the EU, the Chairman, DE, RS and ERA** took part, further decisions were taken in connection with the amendments proposed in the EU position paper for the 4th session of CTE.

The **Chairman** commented that the NVR document would be ready for decision at the next CTE session.

Conclusions:

1. Updating the OTIF NVR rules would mean that the Appendices would be completely replaced and the previous version would be revoked. The decision part would be updated.
2. The amendments proposed in the EU position paper for the 4th session of the CTE were discussed and agreed.

6.2 OTIF Register of admitted types of vehicles (RAT)

The specifications for the EU register ERATV (European Register of Admitted Types of Vehicles) had recently been adopted in the EU. The OTIF Secretariat suggested making an agreement with ERA to run a joint type register accessible to all, based on the EU specifications and placing obligations on the non-EU OTIF MS. The OTIF Secretariat would prepare a document transposing the EU ERATV document into the OTIF regulations for decision at the 5th session of CTE.

7. ATMF, Article 15 § 3 -“ensure or ascertain”

Document:	A 93-01/1.2011	Proposal for amplification of the Explanatory notes to ATMF, Article 15
-----------	-----------------------	---

The amendments to the explanatory note to Article 15 of ATMF were an intermediate solution until the next revision of ATMF. In the proposed text (EU position paper for the 4th CTE session), it was requested that “must” be amended to read “should” (three times).

The representative of the EU explained that an explanatory note cannot create obligations and therefore the words "must" and "shall" should be avoided. After discussion **CER** agreed with the proposal made by **the representative of the EU** and the use of the word "should".

DE requested that OTIF’s legal service check these amendments.

CER requested that the document submitted to the 15th session of WG TECH setting out its understanding of modifications to this document agreed during that session be attached to the minutes (Annex III to the minutes).

Conclusion:

OTIF legal service would check all proposed amendments.

8. Preventive measures to reduce the risk of derailment in freight traffic

Document:	Det Norske Veritas study for ERA	Assessment of freight train derailment risk reduction measures:
		B3 – Top ten ranking of safety measures

The **Secretariat** considered this to be an important issue about which the non-EU OTIF MS should also be informed (study concerning the risk reduction of freight train derailment). The trigger for this study commissioned by ERA was the RID Committee of Experts' proposal on the mandatory use of derailment detectors. In the study the solutions were ranked according to "best practice criteria".

9. Work programme of the Committee of Technical Experts for 2012 and 2013

Document:	A 92-03/2.2011 rev1	Work programme of the Committee of Technical Experts for 2012 and 2013
-----------	----------------------------	--

The **Secretariat** commented that the document (A 92-03/2.2011 rev1) was aligned with the work programme submitted to OTIF's Administrative Committee. The regulations expected/requested to be adopted were listed in two tables (in 2012 and after 2012) and prioritised. The work programme was very ambitious and was dependent upon the recruitment of a third technician to the OTIF Secretariat's technology section.

DE drew attention to the fact that transposition into UTP of the revised TSI Wagons, which was expected to be adopted soon, had not been included, and requested that development and adoption of the procedure for ATMF Article 7a Derogations be brought forward to 2012.

Conclusion:

The Secretariat would amend the document setting out the work programme of the Committee of Technical Experts for 2012 and 2013 and submit it to the 5th session of CTE.

10. Any other business

As the EU had been a full member of OTIF since 1 July 2011, it had been invited to the meeting of non-EU OTIF MS and EU OTIF MS that have a border with non-EU OTIF MS that was held in preparation for the 15th session of the standing working group WG TECH. ERA attended on behalf of the EU. The aim of their participation was to increase transparency and mutual confidence. The meeting decided that the practice of holding a preparatory meeting of non-EU OTIF MS and EU OTIF MS that have a border with non-EU OTIF MS and the EU should not be continued. As a rule, the sessions of WG TECH (duration depending on items to be discussed) would start at 13:00 on the first day and end on the second day shortly after noon so that participants could arrive in the morning before the session starts and leave in the afternoon on the last day.

11. Next session

The next session of WG TECH will be held on 14 and 15 February 2012 in Berne.

The 5th session of the Committee of Technical Experts will be held on 23 and 24 May 2012 in Berne to adopt the UTP NOI Rolling Stock - Noise, the amendments to document A 94-20/1.2009 (NVR), the uniform format of certificates (pending from the 4th session of CTE), the procedure for ATMF Article 7a Derogations and the proposal to amplify the Explanatory Notes on Article 15 ATMF (before submitting it to the OTIF Revision Committee).

OTIF



ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES

ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR

INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL

15th WG TECH
(Ljubljana, 16.-17.11.2011)

ANNEX I

Liste des participants
Teilnehmerliste
List of participants

Par souci d'économie, le présent document a fait l'objet d'un tirage limité. Les délégués sont priés d'apporter leurs exemplaires aux réunions. L'OTIF ne dispose que d'une réserve très restreinte.

Aus Kostengründen wurde dieses Dokument nur in begrenzter Auflage gedruckt. Die Delegierten werden daher gebeten, die ihnen zugesandten Exemplare zu den Sitzungen mitzubringen. Die OTIF verfügt nur über eine sehr geringe Reserve.

For reasons of cost, only a limited number of copies of this document have been made. Delegates are asked to bring their own copies of documents to meetings. OTIF only has a small number of copies available.

I. Gouvernements / Regierungen / Governments


Albanie/Albanien/Albania

S'est excusée.
 Hat sich entschuldigt.
 Sent apologies.

Allemagne/Deutschland/Germany

M./Hr./Mr Michael **Schmitz**


Experte
 Eisenbahn-Bundesamt
 Referat 10
 Heinemannstrasse 6
 DE-53175 Bonn

 +49 (228) 9826 346
 Fax +49 (228) 9826 9346
 E-mail SchmitzM@eba.bund.de

Autriche/Oesterreich/Austria

M./Hr./Mr Karl-Otto **Endlicher**


Technischer Sachverständiger
 Bundesministerium für Verkehr, Innovation und
 Technologie
 Radetzkystrasse 2
 AT-1030 Wien

 +43 (1) 71162 652 551
 Fax +43 (71162) 652 599
 E-mail karl.endlicher@bmvit.gv.at

**Bosnie-Herzégovine/Bosnien und
Herzegovina/Bosnia and Herzegovina**

M./Hr. Mr **Mirko Vulic**


Senior Expert Associate
Railways Regulatory Board
Regulatorni Odbor Željeznica
Svetog Save bb
BA-74 000 Doboj

 +387 (53) 20 73 50
Fax +387 (53) 20 73 51
E-mail mirko.vulic@mkt.gov.ba

**Bosnie-Herzégovine/Bosnien und
Herzegovina/Bosnia and Herzegovina**

Mme/Fr./Ms **Vesna Petic**


Senior Expert Associate
Railways Regulatory Board
Regulatorni Odbor Željeznica
Svetog Save bb
BA-74 000 Doboj

 +387 (53) 20 73 50
Fax +387 (53) 20 73 51
E-mail vesna.petic@mkt.gov.ba

Croatie/Kroatien/Croatia

M./Hr./Mr **Djuro Ratkovic**

Senior Advisor
Ministry of the Sea, Transport and Infrastructure
Prisavlje 14
HR-10000 Zagreb

 0-0038516169073
Fax +385 (0) 1 619 467
E-mail djuro.ratkovic@mmpi.hr

Grèce/Griechenland/Greece

S'est excusée.
Hat sich entschuldigt.
Sent apologies.


Irlande/Irland/Ireland

S'est excusé.
 Hat sich entschuldigt.
 Sent apologies.

Italie/Italien/Italy

M./Hr./Mr. **Davide Poli**


Expert
 Ministero delle Infrastrutture e dei Trasporti
 Direzione Generale per il Trasporto Ferroviario
 Via G. Caraci 36
 IT-00157 Roma

 +39 (064) 158 35 70
 Fax +39 (064) 158 35 14
 E-mail dgtfe.div5@mit.gov.it

Monténégro / Montenegro/Montenegro

M./Hr./Mr **Zoran Vukovic**


Advisor for International Affairs
 Railway Directorate of Montenegro
 Novaka Miloseva No. 18
 ME-20000 Podgorica

 +382 (20) 232 129
 E-mail zoran.vukovic@dzzcg.me

Monténégro/Montenegro/Montenegro

M./Hr./Mr **Milorad Nikic**

Head of Regulator Body
 Railway Directorate of Montenegro
 Novaka Miloseva No. 18
 ME-81000 Podgorica

 +382 (20) 232 129
 E-mail milorad.nikic@dzzcg.me

Pays-Bas/Niederlande/Netherlands

Se sont excusés.
 Hat sich entschuldigt.
 Sent apologies.


Pologne/Polen/Poland

S'est excusée.
 Hat sich entschuldigt.
 Sent apologies.

Serbie/Serbien/Serbia

M./Hr./Mr. **Milan Popović**


Senior Advisor for Transport Regulations
 Directorate for Railways
 Direkcija za zeleznice
 Nemanjina 6
 RS-11000 Beograd

 +381 (11) 265 65 18
 Fax +381 (11) 361 82 91
 E-mail milan.popovic@raildir.gov.rs

Serbie/Serbien/Serbia

Mme/Fr./Ms **Dragana Stosić**

Advisor for technical prescriptions
 Direkcija za zeleznice
 Nemanjina 6
 RS-11000 Beograd

 +381 (11) 2656 519
 Fax 381 11 3618 291
 E-mail dragana.stosic@raildir.gov.rs


Slovaquie/Slowakei/SlovakiaM./Hr./Mr. Jozef **Galovic**

Dipl. Ing., Head of Unit of Regulatory Tracks
Ministry of Transport, Construction and
Regional Development of the Slovak Republic
(MTCRD SR)

Námestie Slobody 6

P.O.Box 100

SK-810 05 Bratislava 15

 +421 (2) 59 49 45 03

Fax +421 (2) 52 44 22 74


E-mail jozef.galovic@mindop.sk**Slovénie/Slowenien/Slovenia**M./Hr./Mr. Igor **Prinčič**

univ.dipl.inž./B.Sc. Mec.Eng. , Secretary
Ministry of Transport

Railways and Cableways Directorate

4 Langusova Street

SI-1535 Ljubljana


 +386 (1) 478 82 03

Fax +386 (1) 478 81 46

E-mail igor.princic@gov.si


Suisse/Schweiz/SwitzerlandM./Hr./Mr. Roland **Bacher**

Projektleiter
Bundesamt für Verkehr
Sektion Zulassungen + Regelwerke
CH-3003 Bern

 +41 (31) 324 12 12
Fax +41 (31) 322 55 95
E-mail roland.bacher@bav.admin.ch

Suisse/Schweiz/SwitzerlandM./Hr./Mr. Thomas **Schlusemann**

Dipl. Ing., Abteilung Sicherheit Sektion
Fahrzeuge
Bundesamt für Verkehr
Sektion Fahrzeuge
Mühlestrasse 6
CH-3063 Ittigen

 +41 31 325 46 09
Fax +41 31 322 78 26
E-mail thomas.schlusemann@bav.admin.ch


Turquie/Türkei/Turkey

S'est excusée.
Hat sich entschuldigt.
Sent apologies.

**Union européenne/Europäische Union/
European Union**


M./Hr./Mr. **Patrizio Grillo**

Chef d'unité adjoint B2
Commission européenne
CE - DG MOVE - B2
DG Mobilité et des Transports
Unité B2 - Espace Ferroviaire Unique Européen
DM24-2/152
Rue de Mot 24
BE-1040 Bruxelles

 +32 (2) 296 09 57
Fax +32 (2) 299 02 62
E-mail patrizio.grillo@ec.europa.eu


M./Hr./Mr. **Denis Biasin**

Head of Sector - Interoperabilité
European Railway Agency (ERA)
120, Rue Marc Lefrancq
BP 20392
FR-59307 Valenciennes Cedex

 +33 (3) 220 965 24
Fax +33 (3) 220 966 24
E-mail denis.biasin@era.europa.eu

Mme/Fr./Ms **Desislava Dimitrova**

Project Officer
Interoperability Unit
European Railway Agency (ERA)
120, Rue Marc Lefrancq
BP 20392
FR-59307 Valenciennes Cedex


 +33 (3) 27 09 65 81
Fax +33 (3) 27 09 66 81
E-mail desislava.dimitrova@era.europa.eu

II. Organisations et associations internationales non-gouvernementales Nichtstaatliche internationale Organisationen und Verbände International non-governmental Organisations or Associations

CER

M./Hr./Mr. **Bernard Alibert**

Directeur de la Stratégie Ferroviaire et de la
Régulation
SNCF
Siège SNCF
34, rue du Commandant Mouchotte
FR-75014 Paris

 +33 (1) 53 25 35 03
Fax +33 (1) 53 25 30 68
E-mail bernard.alibert@sncf.fr


CIT

S'est excusé.
Hat sich entschuldigt.
Sent apologies.

**III. Secrétariat
 Sekretariat
 Secretariat**


M./Hr./Mr **Karl Erik Raff**

First Secretary

 +41 (31) 359 10 25
Fax +41 (31) 359 10 11
E-mail karlerik.raff@otif.org

M./Hr./Mr **Peter Sorger**

Administrative Assistant I

 +41 (31) 359 10 26
Fax +41 (31) 359 10 11
E-mail peter.sorger@otif.org

OTIF



**ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL**

**Commission d'experts techniques
Fachausschuss für technische Fragen
Committee of Technical Experts**

**WG TECH
15th session**

Ljubljana, 16.-17.11.2011

PVP - Annex II

Original : EN

List of documents

For reasons of cost, only a limited number of copies of this document have been made. Delegates are asked to bring their own copies of documents to meetings. OTIF only has a small number of copies available.

3. Approval of the minutes of the 15th session of WG TECH

Provisional minutes (with delegates' corrections)

4. Uniform Technical Prescriptions (UTP)

4.1 UTP NOI Rolling Stock - Noise

A 94-04/2.2011 UTP NOI Rolling Stock - Noise

5. Uniform format of certificates (Type & Operation)

A 94-01/2.2011 OTIF rules for certification and auditing the ECM

6. OTIF Register system - Rolling Stock; National Vehicle Register

6.1 Amendments to document A 94-20/1.2009 adopted at the 3rd session of the Committee of Technical Experts (February 2009)

A 94-20/3.2011 National Vehicle Register (NVR) amendments

6.2 OTIF Register of admitted types of vehicles (RAT)

7. ATMF, Article 15 § 3 - "ensure or ascertain"

A 93-01/1.2011 Proposal for amplification of the Explanatory notes to ATMF, Article 15

A 93-01/1.2011 with CER comments Proposal for amplification of the Explanatory notes to ATMF, Article 15

8. Preventive measures concerning the reduction of the derailment risks for freight traffic

Det Norske Veritas study for ERA Assessment of freight train derailment risk reduction measures: B3 – Top ten ranking of safety measures

9. Work programme of the Committee of Technical Experts for 2012 and 2013

A 92-03/2.2011 Work programme of the Committee of Technical Experts for 2012 and 2013

OTIF



ORGANISATION INTERGOUVERNEMENTALE POUR
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES

ZWISCHENSTAATLICHE ORGANISATION FÜR DEN
INTERNATIONALEN EISENBAHNVERKEHR

INTERGOVERNMENTAL ORGANISATION FOR INTER-
NATIONAL CARRIAGE BY RAIL

Commission d'experts techniques
Fachausschuss für technische Fragen
Committee of Technical Experts

A 93-01/1.2011
14.07.2011

Original : EN

Item 12

**4th Session of the Committee of Technical Experts
Berne, 14 - 15 September 2011**

Proposal to amplify the Explanatory Notes on Article 15 ATMF
(for discussion)

Document transmitted by the Secretariat of OTIF

Modifications approved in Ljubljana on 17/11/2011

Par souci d'économie, le présent document a fait l'objet d'un tirage limité. Les délégués sont priés d'apporter leurs exemplaires aux réunions. L'OTIF ne dispose que d'une réserve très restreinte.

Aus Kostengründen wurde dieses Dokument nur in begrenzter Auflage gedruckt. Die Delegierten werden daher gebeten, die ihnen zugesandten Exemplare zu den Sitzungen mitzubringen. Die OTIF verfügt nur über eine sehr geringe Reserve.

For reasons of cost, only a limited number of copies of this document have been made. Delegates are asked to bring their own copies of documents to meetings. OTIF only has a small number of copies available.

Background

CER submitted a proposal for the Explanatory Notes to ATMF Article 15 to the 14th session of the standing working group WG TECH. According to the decision of WG TECH, the OTIF Secretariat prepared this document for the 4th session of the Committee of Technical Experts based on the CER proposal. The adoption of this proposal is in the competence of the Revision Committee.

Proposal to amplify the Explanatory Notes on Article 15 ATMF

Article 15 Maintenance

1. § 1 sets out the objectives and elements of maintenance.
2. According to § 2, it is up to an accordingly instructed body (Entity in Charge of Maintenance – ECM), which must be registered in the data bank, to organise the maintenance of each vehicle. Such a body is also required according to the law of the EU (see Article 14a of the Railway Safety Directive 2004/49/EC, as amended by Directive 2008/110/EC).
3. For ECMs dealing with freight wagons, appropriate certification is mandatory. According to the applicable law of the EU (see Commission Regulation (EU) No. 445/2011 of 10 May 2011 on a system of certification of entities in charge of maintenance for freight wagons and amending Regulation (EC) No. 653/2007, in particular Article 7), the body certifying an ECM shall be responsible for the ~~supervision and audit~~ of that ECM. This does not affect (diminish) the rights/obligations which a competent authority has to inspect the ECM (including its contracted suppliers and the body which has issued the certificate, if any) according to the national law. The competent authorities shall cooperate.
4. According to the applicable law of the EU (see in particular Article 5 § 6 of the Commission Regulation mentioned in paragraph 3 above) the certificates of ECM shall be accepted as proof of the ability of a railway undertaking or infrastructure manager to meet the detailed requirements governing maintenance and the control of contractors and suppliers, unless the national safety authority can demonstrate the existence of a substantial safety risk.
5. §§ 3 to 5 contain provisions regarding the interaction between the ECM and the operating railway undertakings, the Maintenance Record File and the possibility to specify further details in Annexes to the ATMF.
6. With regard to § 3, it should be noted that, ~~from~~ ^{in consistency with} the applicable law of the EU, the distribution of responsibility between the operating railway undertakings (RUs) and the ECM can be derived as follows (see in particular Articles 4 and 5 of the Commission Regulation mentioned in paragraph 3 above):
 - a) A RU hauling the vehicle ~~must~~ ^{should} :
 - carry out a procedure for checking basic information about the vehicle's maintenance, in particular whether for this vehicle an ECM is registered in the vehicle register and, in the case of a freight wagon, whether a valid certificate exists for this ECM covering the respective scope of use of the wagon, such as dangerous goods.,
 - perform checks before the departure of a train, such as a brake test, composition of the train in conjunction with the route to be taken, "visual check" for technical deficiencies (including the load on freight wagons) which might endanger safe

initial assessment
and surveillance

EU written
remark 1
agreed

IT oral
remark agreed
during the
meeting

EU oral remark
agreed during
the meeting

(onward) carriage, check that the deadline for maintenance registered or marked on the vehicle has been observed, visual load inspection, and,

- where necessary, perform the checks to be carried out en route and take appropriate action in case of operational incidents, e.g. a hot axle box ~~or dangerous displacement of the load~~.
- ensure that it is able to hand over data to the ECM of the vehicle in due time, particularly on its operating performance (km, tonne.km), malfunctions, accidents, incidents, near-misses and other dangerous occurrences as well as on any restrictions on the use of the vehicle appeared, inspections and repairs made during the period when the vehicle has been in its charge,

If these checks reveal deficiencies or problems related to safety, the RU must take appropriate measures, i.e. resolve the problem or refuse further carriage.

b) The ECM *should*:

- ~~must~~ ensure that it is able to receive and use data from the respective RUs (see above),
- ~~must~~ ensure that the carrying RUs can obtain information on updates concerning restrictions on the use of the wagon and
- ~~must~~ provide information on the maintenance of a freight wagon as requested from a RU for its operational purposes. This does not mean that the ECM would have to inform the RU of all its maintenance processes, which the RU is not responsible for checking.

7. With regard to § 3, it should also be noted that, according to the applicable law of the EU, infrastructure managers operating freight wagons for own purposes shall be deemed to do so as an "operating railway undertaking" (see Article 2 § 3 of the Commission Regulation mentioned in paragraph 3 above).
8. According to § 4, the ECM shall, for each vehicle for which it is registered as the ECM, keep and update a Maintenance Record File to contain the information required in accordance with § 3 for that vehicle. This includes the vehicle itself and any tank fixed on the vehicle and equipment for which inspections and tests are required. This Maintenance Record File shall be available to the competent authorities for their ordinary inspections and investigations in the case of the vehicle being involved in incidents or accidents.
9. According to § 5, the CTE may adopt guidelines or regulations concerning maintenance workshops and include them in an Annex to ATMF.

*EU written
remark 3
agreed*

*EU oral
remark agreed
during x
the meeting x
x*