

ORGANISATION INTERGOUVERNEMENTALE POUR LES TRANSPORTS INTERNATIONAUX FERROVIAIRES

ZWISCHENSTAATLICHE ORGANISATION FÜR DEN INTERNATIONALEN EISENBAHNVERKEHR

INTERGOVERNMENTAL ORGANISATION FOR INTERNATIONAL CARRIAGE BY RAIL

# WG TECH

# 27<sup>th</sup> Session Minutes

#### DISCUSSIONS

#### Welcome by the OTIF Secretariat

Mr Bas Leermakers (head of OTIF's technical section) welcomed the participants (<u>List of participants Annex I</u>) and opened the 27<sup>th</sup> session of WG TECH in Bern.

#### 1. <u>Approval of the agenda</u>

The **Secretariat** explained that the provisional agenda had been sent to participants with the invitation on 17 September 2015 (circular <u>A 92-03/510.2015</u>). Since there were no objections, the agenda was adopted accordingly.

**Conclusion:** WG TECH approved the agenda for the 27<sup>th</sup> session (<u>Annex II</u>).

#### 2. <u>General information (from the OTIF Secretariat)</u>

The **Secretariat** introduced the meeting to Mr. Ömer Tangül, the second trainee in OTIF's inhouse expert training programme. The Secretariat once again invited all non-EU MS to apply for this programme and benefit from it.

In connection with the developments that took place after the 26<sup>th</sup> WG TECH, the **Secretariat** informed the meeting of the results of the 12<sup>th</sup> General Assembly. The General Assembly had reelected François Davenne as Secretary General for the period 2016-2019, approved the taking over of the Supervisory Authority of the Luxembourg Protocol, designated the Administrative Committee for the period 2016-2019, and set the budget limits for the Organisation. Among other things, the General Assembly had adopted some general financial management clauses in COTIF, as well as an amendment to Article 20 of the Convention, which now states that CTE is also able to amend UTPs, an amendment to CUV with regards to ECM, which now states that an ECM "...shall be considered as a person whose services the keeper makes use of", and that the contract between keepers and carriers must contain provisions to ensure the exchange of information between ECM and RU. It was also decided to delete the term "other railway material" from APTU and ATMF, as far as this was not already done by the Revision Committee.

The **Secretariat** reminded the meeting that the texts adopted at CTE 8, i.e. UTP NOI revision, UTP WAG amendment and ATMF Annex A (ECM) amendment, would enter into force on 1 December 2015.

The **Secretariat** provided the meeting with information on the newly set up OTIF/COM working group to deal with general coordination between RID and ATMF.

In connection with the current geographical scope of COTIF and its Appendices, the meeting was informed that Azerbaijan had become the  $50^{th}$  Member State as of 1 November 2015.

The **Secretariat** informed the meeting about the change to the layout on OTIF's "Regulations in force" webpage. The new layout would feature consolidated versions of UTPs and would be published on 1 December 2015.

## 3. <u>Election of chairman</u>

The **Secretariat** nominated Switzerland (Mr Roland Bacher) to chair the session. No other nominations were proposed. Mr Roland Bacher accepted the nomination and WG TECH unanimously elected CH, in the shape of Mr Roland Bacher, to chair this session.

The Chairman thanked the participants for the confidence it had placed in him.

# 4. <u>Approval of the minutes of the 26<sup>th</sup> session of WG TECH</u>

Document: <u>WG-TECH 26 PVM</u> (with delegates' corrections)

On 20 October 2015, the OTIF **Secretariat** had sent the provisional minutes to delegates who had attended the 26<sup>th</sup> session of WG TECH (9-10 September 2015). It had amended the provisional minutes in accordance with the correction requested by CH and uploaded it for WG TECH 27 for adoption. On 11 November, the OTIF Secretariat had received proposals from CER. However, during the meeting CER accepted to withdraw its proposals but proposed that the assessment criteria and procedure for different CBBs and their use in different train formations should be addressed properly at one of the next WG TECH meetings.

**<u>Conclusion</u>**: The minutes of the 26<sup>th</sup> session of WG TECH were approved with the correction requested by CH.

#### 5. <u>Comments from Member States on documents proposed for CTE9:</u>

#### a. Draft amended UTP WAG

Document: <u>TEC WGT27 5a UTP WAG 2016 e v2</u> Draft amendment of the UTP WAG as submitted to WG TECH 27

The **Secretariat** informed the meeting that it had received comments from DE the day before the WG TECH 27 meeting, so it had been too late to upload them for the meeting. DE was of the opinion that there were some incompatibilities between the OTIF and EU documents, i.e. different left-hand and right-hand columns in UTP WAG. For example, there was different wording compared with the equivalent TSI and a reference to the ERA technical documents was also missing. The Secretariat explained that some of the comments received from DE also referred to the UTP WAG text, which was already in force, i.e. had already been adopted by the CTE, so WG TECH should be aware of this in its further discussions.

WG TECH accepted the Chairman's proposal that the discussion on item 5 should focus on the three most difficult items.

**DE** was of the view that point 4.2.3.6.4, "Characteristics of the axles", relating to requirements for the traceability of axles, differed in the UTP and TSI. DE challenged the view that traceability exists in EU MS, but not in OTIF non-EU MS. This might also mean that the cross-examination process could be called into question. In DE's opinion, the wording used allowed the sector less flexibility. DE proposed that the same requirements should appear in both columns, with a reference to the specific document on ERA's website, or else the same document should be published on OTIF's website.

The **Secretariat** reminded the meeting that this specific point related to the UTP in force and had been discussed prior to the adoption of the UTP at CTE 5. The Secretariat was of the view that the EU text "*The traceability of axles shall take into account the findings of the ERA Task Force*..." was not very clear in legal terms and for that reason, had not been taken over into the UTP. However, if it were also necessary to prescribe the traceability of axles, the proposed amendment, supported by precise justification, could be forwarded to OTIF Secretariat.

IT agreed with DE that traceability should be further defined in UTP.

**RS** shared DE's concerns. However, in its opinion, traceability as defined in the right-hand column was not sufficient for OTIF. RS asked whether it was possible to make the reference, as such, in UTPs?

**The representative of the EU** was of the view that from the legal perspective, although the use of ERA's technical documents is regulated within the EU, it might not be the case in OTIF. In her view, this issue required special attention and should be discussed carefully.

**ERA** reminded the meeting that there are other technical documents which are referenced in the UTPs, for example composite brake assessment criteria for CBBs. In its opinion, the redefinition of the traceability of axles within UTP WAG should be further analysed.

**DE** was of the view that in point 6.1.2, "Conformity assessment procedures", the left-hand righthand columns were not consistent either. According to DE's interpretation, UTP should prescribe that the application of at least one of the modules is mandatory. The different wording was also used in Appendix C, point 5 and in Appendix G.

The **Chairman** reminded the meeting of the differences between the EU and OTIF legal systems, which must been taken into account. Although specifications should be equivalent, this did not mean that they should be identical. The Chairman also recalled that UTPs had been created following a request from the non EU MS that OTIF should develop UTPs instead of TSIs.

With regard to 6.1.3, i.e. innovative solutions, **RS** proposed that the wording: "...established within the Union..." should only appear in the right-hand column, instead of across two columns.

**Conclusion**: the **Chairman** summarised the discussion and noted that the traceability of axles was a sensitive issue and caused WG TECH some concern. DE would update its comments on UTP WAG and forward them to the OTIF Secretariat. The OTIF Secretariat would analyse these comments, together with DE, IT, EC and ERA. For the next WG TECH meeting, an analysis of the problem would be prepared, together with a proposal on how to proceed further. It was noted that the earliest any possible changes on this topic would be ready for CTE 10. WG TECH accepted RS's proposal on point 6.1.3.

## b. Draft amended UTP GEN-G (CSM risk assessment)

Document: TEC WGT27 5b UTP GEN-G e v1

Draft amendment of the UTP GEN-G as submitted to WG TECH 27

The **Secretariat** informed the meeting that it had not received any comments on the document that had been uploaded.

**DE** informed the meeting that there were some inconsistencies between the English and German versions of the EU Regulation on CSM for risk evaluation and assessment. DE suggested that when preparing UTP GEN-G in German for adoption at CTE 9, the OTIF Secretariat should use the correct version.

The representative of the EU confirmed that these inconsistencies had been noticed, that they were substantial and that the process of amending them had already started.

**Conclusion**: WG TECH noted that the OTIF Secretariat would prepare UTP GEN-G in German for adoption at CTE 9, taking into account the corrected German version.

## 6. <u>Information on developments in EU regulations which will affect equivalence with</u> <u>OTIF law and discussion on next steps (EC/ERA)</u>

The **Secretariat** informed the meeting about developments in ERA working parties in which it has been involved and summarised the position it had taken in these meetings.

With regard to the working party which is analysing the revision of the NVR, the OTIF Secretariat was concerned about whether the single European Vehicle Register (EVR) would maintain compatibility with the NVRs of OTIF non-EU MS and whether its connections to the ECVVR would be maintained, especially if these states have purchased ERA software. It was also highlighted that it should remain possible to connect the specific software<sup>1</sup> that some countries had developed to the ECVVR.

With regard to limited revision of the WAG TSI, which mainly consists of closing the open points, the OTIF Secretariat has not identified any of the critical points. The OTIF Secretariat raised some concerns about the validity of IC certificates<sup>2</sup> and suggested that ERA should postpone the discussion on transposing the RID requirements into TSIs.

With regard to the TSI LOC&PAS Unique Authorisation working party, the OTIF Secretariat was supportive of the work, which had previously been initiated by WG TECH and which was an integral part of the development of the interchangeable coach provisions.

With regard to the analysis on extending the scope of the ECM certification, the OTIF Secretariat expressed some concerns. The Secretariat asked ERA also to include international traffic under COTIF in their impact assessment, i.e. to take into account the situation in OTIF non-EU MS. The situation outside the EU could be different from that inside the EU, as COTIF only covers international traffic. For States in which only a small number of vehicles are used internationally, the certification costs per vehicle could be relatively high.

The OTIF Secretariat supported ERA's work on the development of an accreditation scheme for notified bodies, which may represent a basis for the criteria needed for all NoBos and assessing entities. For this purpose, the OTIF Secretariat had also analysed whether the scheme was consistent with ATMF, in particular with Art. 5. of the ATMF.

**CER** was of the view that the potential cost for extending ECM certification should be carefully examined. In its opinion, provisions for ECM certification are not different than the provisions related to maintenance for the RU safety certificate. For most vehicles other than wagons, the RU is also ECM, the extension would therefore have a very limited cost impact. It supported the

<sup>&</sup>lt;sup>1</sup> i.e. multimodal vehicle register

<sup>&</sup>lt;sup>2</sup> i.e. separate IC assessment is not mandatory in COTIF

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OTIF Secretariat's statement that the impact assessment should include the advantages and disadvantages of extending the scope of certification to OTIF's non-EU MS.

**DE** supported the OTIF Secretariat's statement on extending the scope of ECM certification. He reminded the meeting that the EU was still assessing the cost/benefit analysis of the ECM extension. With regard to the creation of EVR, DE reminded the meeting that not all EU MS use sNVR, and that there has not so far been any discussion on this item at EU level.

**The representative of the EU** informed the meeting of the discussion and decisions following the RISC 74 meeting, which took place in Brussels in October. In general, the RISC meeting had not taken any decisions on any topics which would affect OTIF/EU equivalence. During the RISC meeting ERA gave a status update and reported on the results of the work of its working parties. It had also been discussed how to reduce the large number of national regulations. WG TECH was introduced to the latest developments regarding the RISC Task Force on Implementing the Technical Pillar of the 4<sup>th</sup> railway package, which aims to cover the preparatory activities in the context of the technical pillar.

With the reference to the last meeting, at which ERA had announced that the application guide on CSM design targets would be amended and published in mid 2016, **CH** asked about its development status and how OTIF non-EU MS could provide input to the drafting of the guide and/or comment on it?

**CER** informed the meeting that a first draft of the application guide was ready before the summer 2015. CER had not been aware of any further activity on this since then. In its view, this work should be finalised by the relevant ERA working party.

**UNIFE** confirmed that it had commented on the first version of this application guide, but UNIFE was also unaware of any ERA activity on this since summer 2015.

The **Secretariat** reminded the meeting that draft amendments to the UTP GEN-G (point 5.b. of the agenda) were related to the CSM application guide. It would be useful if the application guide were to become available in OTIF and the EU at the same time.

**ERA** noted the question raised by CH and after an internal discussion it would inform the WG TECH of the possibilities.

The **Chairman** summarised the discussion and reminded the meeting that the OTIF Secretariat attends selected ERA meetings<sup>3</sup> in order to represent the interests of OTIF's non-EU Member States. Experts from OTIF's non-EU Member States were invited to be more involved in this process, e.g. by providing their view to the Secretariat, or even by attending ERA meetings on behalf of the OTIF Secretariat.

The **Secretariat** confirmed the Chairman's statement and invited OTIF's non-EU MS to contact the OTIF Secretariat if they wished to be more involved. The Secretariat once again invited all OTIF non-EU MS to apply for OTIF's in-house expert training programme and benefit from it.

The **Chairman** noted that the door was open for OTIF's non-EU MS, together with the OTIF Secretariat, to influence the process of developing specifications, which was being led by ERA. The Chairman also invited OTIF's non-EU MS to apply for OTIF's in-house expert training programme.

<sup>&</sup>lt;sup>3</sup> OTIF/DG MOVE/ERA Administrative Arrangements, point 5.

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## 7. <u>Analysis of the need for further clarification of safety related responsibilities in EU law</u> and COTIF

Bas Leermakers of the OTIF Secretariat informed WG TECH briefly about some of the conceptual differences between COTIF and EU law. It was highlighted that although COTIF and EU provisions have been developed for different aims, there is no conflict of objectives. The aim of the APTU and ATMF Appendices is to set down rules and procedures for the international admission of vehicles (meaning that the railway vehicle is safe and may be used in different railway systems), and the EU regulations were aimed at the gradual creation of an integrated, interoperable European railway system. With regard to safety responsibilities and how these are covered in both systems, it was noted that the EU has a "system approach", in which RU and IM share responsibility and each of them must have a safety management system (SMS). On the other hand, COTIF is based on the principle that vehicles that comply with the provisions can be safely operated in different railway systems, whether it be the EU system or the system of a non-EU State. At the same time, COTIF requires that the keeper, RU and ECM exchange information on maintenance and operation, which is not explicitly required in the corresponding EU provisions. It was also noted that the keeper's obligations differ in COTIF and EU law. Although COTIF and EU law require that each vehicle has an ECM, in COTIF it is the keeper's obligation to designate the ECM. Furthermore, under COTIF the responsibility for ensuring that vehicles continue to comply with requirements and for taking corrective action rests with the keeper (which has resulted in allocating more specific tasks to the keeper). On the other hand, EU Directives prescribe that the system responsibility rests with the RUs operating the vehicles and the IM, i.e. the keeper has no direct responsibility. This latter difference was related to the documentation that supports the admission of vehicles, such as the technical file. COTIF requires that the keeper keeps the evidence of the admission, as well as all the documentation relevant to the vehicle, whereas in EU law, it is recommended that the NSA should keep all the documentation. It was noted that these requirements are not contradictory, as more than one copy of a file may exist. The Secretariat concluded its presentation by noting the differences and asking whether it further alignment of these two legal systems is necessary.

The **Chairman** thanked **Mr Leermakers** for his presentation comparing how safety responsibilities are covered in the COTIF and EU legal systems. In addition, he reminded the meeting that COTIF aims to facilitate the free circulation of vehicles in international traffic, while the EU regulates railways at the system level, including railway companies' access to the market. He then opened the discussion.

**CER** welcomed the Secretariat's presentation and said it had been useful to hear that there is apparently no conflicting requirement. CER pointed that the assessment should be refined, taking into account EU's secondary legislation as for some gaps, the secondary legislation are bridging the 2 regulatory frameworks (e.g. ATMF give a responsibility to the keeper for registering the ECM which is not explicit in the EU safety directive but clarified in the NVR decision).

**IT** informed the meeting that in the context of registering a vehicle in the NVR, it is the keeper's duty to assign an ECM.

**DE** wondered whether further alignment of ATMF and EU provisions was necessary. In DE's comments on the presentation, it was pointed out that the *operational responsibilities*<sup>4</sup> should also include train driving licenses and that the *keeper's obligations*<sup>5</sup> are not only defined at EU level but also at national level. DE questioned whether it was possible to extend the keeper's obligations at EU level like in COTIF or to define more specific tasks and relationships between manufacturers, keepers and ECMs. It was also noted that in Germany, *documentation* 

<sup>&</sup>lt;sup>4</sup> as shown on slide 19 of the presentation

<sup>&</sup>lt;sup>5</sup> slide 23 of the presentation

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*accompanying the first authorisation*<sup>6</sup> must also be kept by the keeper, although at EU level, it must be kept by the NSA. DE was of the view before APTU/ATMF<sup>7</sup> were aligned, assessment of the 4<sup>th</sup> railway package should be awaited in order to consider the consequences of the package in terms of equivalence with COTIF (agenda item 10). In DE's view, some impact on ATMF could already be anticipated.

**The representative of the EU** thanked the Secretariat for its presentation. With reference to the possible further alignment of the two legal systems, she noted that prior to that, OTIF, the EC and ERA should assess the issue.

<u>Conclusion:</u> the Chairman emphasised that no problems requiring resolution had been identified and that there was no need to draw conclusions on this issue for the time being. The coordination meeting between OTIF, the EC and ERA, based on the administrative arrangements, may be the correct forum to identify the needs for further action.

## 8. <u>Status update on the creation of a joint CSM Assessment Body Register</u>

# Document: TEC\_WGT27\_8\_CSM Assment Body Register Creation of joint OTIF-ERA CSM

The **Secretariat** introduced this document, the purpose of which was to establish an ERA/OTIF joint register for the EU and non-EU CSM (risk) assessment bodies (AsBo), following the same principle as for the ERA/OTIF ECM joint register. The Secretariat highlighted the following two points in the document: the existing legal basis for establishing an ERA/OTIF joint register (point 5) and a proposal for further steps by the OTIF Secretariat to this end (point 6). It was noted that there was a two-step procedure for how the relevant National Accreditation or Recognition Bodies of each country will register CSM AsBo in ERADIS. As the practical implemented, i.e. how much time ERA would need for all the necessary preparations. In addition, the Secretariat suggested that this joint register could be created without the prior consent of the CTE, as the legal basis for setting it up was provided by ATMF and UTP GEN-G.

**RS**, **CH** and **TR** supported the Secretariat's proposal.

**DE** proposed to add the words "or recognised" in point 3, so the text should read: "CSM assessment bodies could also be accredited <u>or recognised</u> ...". DE also proposed that this document should also recognise situations where the CSM assessment bodies are assigned by the ministries in charge in the particular state. Lastly, DE wished to initiate a discussion to define a common level of criteria/requirements for recognition and/or accreditation schemes for AsBo, as was done for NoBo.

The **Secretariat** agreed to add "or recognised" in point 3 of the proposal. With regard to the recognition of the assigned AsBo in this document, the Secretariat was of the opinion that it might be superfluous, as this possibility was anticipated in UTP GEN-G point 9.2, which states that AsBo could also be a national authority competent for technical admission recognised by the Contracting State. With regard to the last comment, i.e. discussion about the accreditation scheme for AsBo, the Secretariat was of the view that prior to discussion at WG TECH level, this topic should be discussed at EU level.

<sup>&</sup>lt;sup>6</sup> slide 24 of the presentation

<sup>&</sup>lt;sup>7</sup> slide 25 of the presentation

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**ERA** supported the creation of an ERA/OTIF CSM joint register. It also confirmed that the technical (pre)conditions for creating the joint register were in place. With regard to the template letters for informing ERA of nominated contact persons for the joint register, it was suggested that there were already some templates used by EU MS which could also be used by OTIF's non-EU MS. ERA supported DE's proposal to set up a common AsBo certification scheme and informed the meeting that this was already on ERA's agenda and would most likely result in the creation of a certification scheme similar to that for NoBo.

## The Chairman concluded item 8 as follows:

- WG TECH noted that there was no need for a formal CTE decision on establishing an ERA/OTIF CSM joint register, so as soon as the technical conditions were met, ERA would inform the OTIF Secretariat when it would be possible to set up a joint register,
- WG TECH noted that document TEC\_WGT27\_8\_CSM Assessment Body Register should be understood to cover both accreditation and recognition,
- WG TECH noted that the EU and non-EU MS should have a common level of requirements with regard to the accreditation and recognition procedures as well as the assessment process. To this end, ERA will prepare a status update to be discussed at the next WG TECH meeting.

## 9. <u>Interchangeable coaches:</u>

The **Secretariat** reminded the meeting that in accordance with the decision of the previous WG TECH meeting, the European Commission had organised a workshop on 4 November in Brussels with the participation of COM, ERA, CER, UNIFE and the OTIF Secretariat. The aim of the workshop was to agree the next steps with a view to preparing an amendment to the LOC&PAS TSI, whose application would be voluntary and which would define interchangeable coaches. In parallel, a mandate would be issued to CEN/CENELEC to develop a standard on interchangeable coaches. At the workshop, the participants reviewed the list of specifications identified by CER and suggested a way forward for each of them. The discussion had been reflected in a document entitled "Analysis of the CER proposed requirements to cover interchangeable coaches-situation after workshop of 4 November 2015", which had been submitted to WH TECH 27 as a room document and is annexed to these minutes (Annex III). The analysis proposed the following way forward:

- Create a new section in the TSI entitled "additional requirements relating to interfaces between passenger coaches, with the objective of facilitating the coupling together of coaches in a train composition";
- Put additional requirements in the new section (end coupling, information interfaces) to ensure retrospective compatibility with RIC (in cases where RIC signals are transmitted);
- Move a number of requirements to the parameters applicable to general operation vehicles;
- Improve some TSI technical details;
- Identify where additional standards need to be developed;
- Some requirements are more suitable for the application guide (e.g. temperature ranges).

In addition to the Secretariat's introduction, **the representative of the EU** pointed out that the suggested requirements would be reviewed by ERA's LOC&PAS WP, followed by WG TECH. It was envisaged that amendments would be introduced during the revision of the LOC&PAS TSI. In addition, a possible request for a standard would be examined.

**CER** thanked OTIF, the Commission and ERA for the progress made during the workshop on 4 November 2015. The result is a big step forward. The last critical element will probably only

relate to fine tune the title and agree on a paragraph similar to WAG TSI (the provision shall be optional and give the right to affix a marking).

CER noted that ERA's work programme should also be amended by assigning this task to the relevant WP, where the recommendation to the amendment to the LOC&PAS TSI would be finalised; in the view of CER this does not need to wait and should not wait for the end of 2016.

**DE** noted that it was important that work on this task should continue. However, he was concerned about some of the results of the workshop and asked for some clarification:

- 1. Was it necessary clarify further the term "general operation" and could this task be carried out in a similar manner to how the RIV technical provisions were included in Appendix C of the WAG TSI/UTP?
- 2. Would vehicles be marked "GO" (General Operation) if they meet all requirements listed in the new appendix to LOC&PAS TSI?
- 3. DE understood that RIC covers the coupling between vehicles, which raised the question of why these provisions could not be used for the new appendix. Developing an EN standard would take a lot of time.
- 4. In addition, DE stressed that applying the specifications should be voluntary, but that the associated marking may be applied only if all the specifications are fully met and that this has been confirmed by a notified body.

With reference to point 3 raised by DE, **CER** explained that listing the requirements in a new section of the TSI would bridge the gap as long as there is no other solution (e.g. through a comprehensive set of standard). It was agreed that these optional requirements would be listed in a new section, as in Appendix C of the UTP WAG, but would take account of the specific requirements of interchangeability. With regard to point 2 raised by Germany, special marking should not be a "GO". General operation is a category of rolling stock which has already been defined in the TSI LOC&PAS since 2011. The interchangeable coaches being discussed here were units for general operation, which in addition fulfill other requirements (in particular to ensure harmonsed interfaces).

**ERA** confirmed that the decision had not been made yet, but that the concept and principles had been agreed at the workshop. It was pointed out that after the relevant requirements have been developed in a standard, it was planned to delete the requirements in the LOC&PAS TSI from the TSI.

With regard to marking, **the Secretariat** explained that the UTP Marking sets out the conditions for a "TEN" marking. A TEN marking may be applied when the conditions of ATMF Article 6§3 have been met, which correspond to the conditions being proposed by ERA for unique authorisation. A TEN marking would mean that the vehicle is admitted to operation in all Member States. This principle also applied to freight wagons meeting the conditions set out in section 7.1.2 of the UTP/TSI WAG. A "TEN" marking did not necessarily mean that a vehicle has harmonised coupling systems. The subject now being discussed was the inter-vehicle interfaces and a possible new marking related to them.

**UNIFE** reiterated its earlier position<sup>8</sup> that interchangeability requirements should be listed in standards rather than in TSI/UTP. UNIFE therefore objected to these requirements being defined in TSI. It also informed the meeting that some standards had already been developed and could be used accordingly, for example, the standard for train-wide information (IEC 61375-Train communication network).

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<sup>&</sup>lt;sup>8</sup> Report of the 8<sup>th</sup> meeting of the Committee of Technical Experts, page 20, 10 June 2015, Bern

**The representative of the EU** reminded the meeting that the workshop had been organised in order to find a solution which would be of use to the sector. She highlighted that the proposal (analysis) was the result of a compromise by all participants at the workshop. UNIFE's information concerning the use of standards that had already been developed had been taken into account. This proposal could also be understood as the first step towards introducing the interchangeable requirements into a future standard.

**RS** was concerned about how the results of the analysis should be dealt with, i.e. the proposals made after the workshop. Should these be reflected in both TSI and UTP? In his opinion, the same principle as in UTP WAG (point 7.1.2 and Appendix C) should also be applied to interchangeable coaches.

**IT** noted that Appendix C of the TSI WAG defined all the necessary requirements to "Go Everywhere". According to the proposal, if not all interchangeability requirements were listed in the new section (appendix) of the LOC&PAS TSI, problems may occur in its application.

Before summarising the discussion, the **Chairman** commented that the separate development of UTP WAG and UTP LOC&PAS had been due to the different requirements they were intended to satisfy. As a result, there were different approaches to defining all the necessary requirements.

## The Chairman summarised the discussion and concluded item 9 as follows:

- WG TECH noted that the European Commission had organised a workshop on 4 November, attended by ERA, CER, UNIFE and the OTIF Secretariat,
- WG TECH had carefully analysed the development of requirements for interchangeable coaches,
- WG TECH noted the proposal to include these requirements in the TSI. However, final allocation had not yet being decided,
- WG TECH also noted that some requirements would be transferred into a standard,
- WG TECH noted the sector's confirmation that this proposal was a step in the right direction.

## 10. Fourth Railway Package - evaluation of consequences for equivalence with COTIF

**The representative of the EU** informed the meeting that the preliminary analysis of the 4<sup>th</sup> railway package impact assessment on APTU and ATMF was still ongoing. In this respect, some information had been exchanged with the OTIF Secretariat. With regard to the status update on "technical and market pillars", the meeting was informed that discussions with the Council and the European Parliament on the "market pillar" were ongoing. The European Commission hoped that the discussions would result in an agreement by the end of 2015 and that both "pillars" would be adopted at the same time in 2016. She noted that the 4<sup>th</sup> railway package mostly impacted the vehicle authorisation architecture, which would be partially changed. She also informed the meeting that ERA's work programme for 2016 anticipated an assessment of the impact of the 4<sup>th</sup> railway package on the TSIs. It should be noted that if any TSIs were amended, COTIF - EU equivalence might be affected. She informed the meeting that more information about the results of the analysis would be prepared for the next WG TECH. In addition, the meeting was informed that the European Commission and ERA had launched an impact assessment of the EU's secondary legislation<sup>9</sup>. She reminded the meeting that the transitional period for transposition of the 4<sup>th</sup> railway package into the EU MS' national laws was three years

<sup>&</sup>lt;sup>9</sup> Secondary legislation of the EU: Regulation, Directives and Decisions as well as recommendations and opinions. The Primary legislation is the Treaties.

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and two years for the recast of the Interoperability Directive. The latter included preparation of all the necessary secondary legislation at EU level. The European Commission also invited the OTIF Secretariat to participate in the meetings of RISC's Task Force on Implementing the Technical Pillar of the 4<sup>th</sup> railway package.

The **Chairman** thanked the representative of the EU for the information she had provided and noted that the 4<sup>th</sup> railway package would affect the authorisation process. He asked whether these proposed changes could be explained in more detail. He also noted that some preparatory activities regarding the implementation of the 4<sup>th</sup> railway package had already started within the EU.

**RS** asked whether ERA would be empowered to authorise types of vehicles and whether authorisation by OTIF's non-EU MS would still be recognised and accepted?

**The representative of the EU** explained that the parts of the TSI other than those which refer to renewal and upgrading would not be affected. However, the Interoperability Directive would need to be amended with detailed rules to describe the authorisation procedure, bearing in mind ERA's enhanced role as a "one stop shop" authority for obtaining safety certificates, authorisation for placing vehicles on the market and for the type authorisation of vehicles. The importance of future close cooperation between ERA and NSAs was again highlighted.

**DE** noted that ERA would become a de facto competent authority in accordance with ATMF. There would therefore have to be careful analysis of how Articles 3 § 1, 6, 6a and 6b of the ATMF would apply to ERA.

The **Secretariat** was of the view that if authorisation for placing into service (APIS) were going to be changed in the EU compared to how it is referred to in COTIF, the EU should propose the required changes to COTIF. With regard to ERA's future role in the authorisation of vehicles, Article 5 of ATMF was already compatible with an "international authority". The Secretariat once again confirmed to the EU its full support for the EU's assessment on implementing the 4<sup>th</sup> railway package in terms of equivalence between COTIF and EU law.

## The Chairman summarised the discussion and concluded item 10 as follows:

- WG TECH noted that an analysis of the 4<sup>th</sup> railway package impact assessment in terms of APTU and ATMF was being carried out by the Commission and was still ongoing.
- WG TECH would await the final results of the preliminary analysis, after which it would be decided how to proceed further.

## 11. <u>EU - OTIF equivalence table</u>

Document <u>TEC\_WGT27\_11\_EU OTIF</u> equivalence table 13.10.2015 Equivalence table EU/OTIF regulations

The **Secretariat** informed the meeting that there were no changes compared to the previous version<sup>10</sup>, presented at the last WG TECH meeting. It announced that in the near future, ERA would be revising the following TSIs: Commission Regulation (EU) No. 1299/2014 (1<sup>st</sup> merged INF TSI), Commission Regulation (EU) No. 1301/2014 (1<sup>st</sup> merged ENE TSI) and Commission Decision 2015/14 (CCS). The importance of the table and the benefit of it for the railway sector were highlighted. The Secretariat also explained how equivalence between OTIF and EU legislation was achieved and that not all TSIs have equivalent UTPs<sup>11</sup>.

<sup>&</sup>lt;sup>10</sup> Equivalence table EU/OTIF regulations [TEC\_WGT26\_9], published on 18.8.2015

<sup>&</sup>lt;sup>11</sup> For example, some requirements from OPE TSI and the NVR Decision are listed in UTP MARKING.

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The **Chairman** noted the information concerning the equivalence table and highlighted its value to the railway sector and as an instrument to check equivalence between OTIF and EU legislation.

#### 12. <u>Next sessions</u>

The "Railways Regulatory Board" of Bosnia-Herzegovina kindly offered to host WG TECH 28 in Doboj. WG TECH thanked BA for its kind invitation, but suggested not to use this venue for the next meeting, as it is relatively time-consuming for delegates to reach in the absence of a nearby international airport. The Chairman suggested keeping the option open for a future meeting. It was provisionally agreed that the 28<sup>th</sup> session of WG TECH would be held on 16 and 17 February 2016 in Bern.

The 9<sup>th</sup> session of the Committee of Technical Experts will be held on 7 and 8 June 2016 in Bern.

The 29<sup>th</sup> session of WG TECH will be held on 7 and 8 September 2016 in Valenciennes or Lille.

The 30<sup>th</sup> session of WG TECH will be held on 16 and 17 November 2016 (date to be confirmed) in Bern.

## 13. <u>Any other business</u>

None.

## **Closing remarks**

The **Chairman** thanked all the participants for the productive discussion, the OTIF Secretariat for preparing all the documents on time and closed the 27<sup>th</sup> WG TECH meeting.

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#### **Approved Agenda**

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Annex II

- **1.** Approval of agenda
- **2.** General information (from the OTIF Secretariat)
- 3. Election of chair
- **4.** Approval of the minutes of the  $26^{th}$  session of WG TECH

Document: WG-TECH 26 PVM

Provisional Minutes of the 26<sup>th</sup> session

- 5. Comments from Member States on documents proposed for CTE 9:
  - a. Draft amended UTP WAG

Document:	TEC W	GT27 5a	UTP WA	AG 2016 e v2
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Draft amendment of the UTP WAG as submitted to WG TECH 26

b. Draft amended UTP GEN-G (CSM risk assessment)

Draft amendment of the UTP Document: TEC WGT27 5b UTP GEN-G e v1 GEN-G as submitted to WG **TECH 26** 

- 6. Information on developments in EU regulations which will affect equivalence with OTIF law and discussion on next steps(EC/ERA)
- 7. Analysis of the need for further clarification of safety related responsibilities between the EU law and COTIF
- 8. Status update on creation of joint CSM Assessment Body Register

Document:	TEC_WGT27_8_CSM Assment Body	Creation	of	joint	OTIF-
	Register	ERA CSM	[ Ass	sessmer	t Body
		Register			

9. Status update on interchangeable coaches:

10. 4<sup>th</sup> Railway Package evaluation of consequences for equivalence with COTIF

**11.** EU - OTIF equivalence table

Document	TEC_WGT27_11_EU OTIF equivalence	Equivalence tab		le EU/OTIF	
	table 13.10.2015	regulations			

- 12. Next sessions
- **13.** Any other business

# Analysis of the CER proposed requirements to cover "interchangeable coaches" - Situation after workshop of 4 November 2015

Additional requirements are allocated to the following categories:

- A: create a new section in the TSI 'additional requirements to facilitate coupling of TSI conform passenger coaches between them and/or with existing RIC coaches together in a train composition";
- B: add the requirement to the general operation (GO) vehicles;
- C: Improve some TSI technical details;
- D: information for the Application Guide or for a Request of standard

Ref	Extract of TSI LOC&PAS 1302/2014	CER Proposed amendment	Proposed way	Suggested requirement
	on « general operation provisions"	(04/09/2015 OTIF WG TECH meeting)	forward	
1.	2.2.2 C) Passenger carriages and other related cars	A Coach is a vehicle without traction in a fixed or variable formation capable of carrying passengers (by extension, requirements specified to apply to coaches in this TSI are deemed to apply also to restaurant cars, sleeping cars, couchettes cars, etc.). An "Interchangeable coach" is a coach designed for general operation by complying with a pre-defined set of requirements.		Not applicable
2.	<ul> <li>4.2.2.2.3 End coupling</li> <li>b) Requirements on "Manual" coupling system</li> <li>b-1) Provisions to units <ul> <li>(1)</li> <li>The coupling system shall be designed so that no human presence between the units to be coupled / uncoupled is required whilst either one is moving.</li> <li>— For units designed and assessed to be operated in 'general operation' or in 'predefined formation', and fitted with a manual coupling system, this coupling system shall be of UIC type (as defined in clause 5.3.2).</li> </ul> </li> </ul>	Add after b-1) (1) second dash: "Interchangeable coaches shall be fitted with a manual coupling system, this coupling system shall be of UIC type (as defined in clause 5.3.2)"	A	Coaches shall be fitted with a manual coupling system, this coupling system shall be of UIC type (as defined in clause 4.2.2.2.3 b) and 5.3.2)"

Ref	Extract of TSI LOC&PAS 1302/2014 on « general operation provisions"	CER Proposed amendment (04/09/2015 OTIF WG TECH meeting)	Proposed way forward	Suggested requirement
3.	5.3.2. Manual end coupling []	Please add in this section : <u>"For interchangeable coaches the clearance for the draw hook shall be in accordance with EN 16116-2, clause 6.3.2 and prEN16839 figure 7"</u>	С	Manual coupling is fully covered as a technical solution in the TSI. When all relevant EN standards will be available, the TSI will be limited to a reference to those EN standards. Pending the availability of the standard, the following requirement could be added: "The clearance for the draw hook shall be in accordance with EN 16116-2, clause 6.3.2 and prEN16839 figure 7"
4.	5.3.2. Manual end coupling []	Please add in this section : <u>"For interchangeable coaches there shall be no</u> <u>fixed parts within 40 mm of a vertical plane placed at</u> <u>the end of the fully compressed buffers."</u>	С	See point 3 above. Pending the availability of the standard, the following requirement could be added: "There shall be no fixed parts within 40 mm of a vertical plane placed at the end of the fully compressed buffers."
5.	5.3.2. Manual end coupling []	Please add in this section : "For interchangeable coaches the characteristics of the buffers and draw gear shall be designed in order to enable the safe transit of curves in the track with a radius of 150 m. Two units with bogies coupled on straight track with touching buffers shall generate compressive forces not higher than 250 kN on a 150 m radius curve. There is no requirement specified for two axle units."	С	See point 3 above. Pending the availability of the standard, the following requirement could be added: "The characteristics of the buffers and draw gear shall be designed in order to enable the safe transit of curves in the track with a radius of 150 m. Two units with bogies coupled on straight track with touching buffers shall generate compressive forces not higher than 250 kN on a 150 m radius curve. There is no requirement specified for two axle units"
6.	4.2.4.3. Type of brake system	We propose to add at the end of 4.2.4.3 (1): <u>"For</u> interchangeable coaches the specification referenced in Appendix J-1, index NEW (=EN 14198:2016) apply in addition."	С	UIC braking system is already covered in the TSI and is mandatory for (GO) vehicles by reference to the current version of EN 14198. This reference will be updated after review of the revised standard prEN 14198:2016.

Ref	Extract of TSI LOC&PAS 1302/2014 on « general operation provisions"	CER Proposed amendment (04/09/2015 OTIF WG TECH meeting)	Proposed way forward	Suggested requirement
7.	<u>4.2.6.1.1</u>	Add "interchangeable coaches shall at least meet T1 requirements"	A only if this requirement exists in RIC2006: CER to check	If confirmed: Coaches shall be designed for the temperature range T1 (or a wider range)
8.	<ul> <li>4.2.6.1.1 Temperature</li> <li>[]</li> <li>(3) The temperature to consider for design purpose of rolling stock constituents shall take into account their integration in the rolling stock.</li> </ul>	<ul> <li>Please add bullet point at the end of point 3</li> <li>"- The following requirement is deemed to comply with the range T1 and T3 indicated in point (1): The grease for the lubrication of roller bearing shall be specified for ambient temperatures down to - 20° C.</li> <li>Air reservoirs shall be designed for the temperature range of - 40 °C to + 100 °C.</li> <li>Brake cylinders and brake couplings shall be designed for the temperature range of - 40° C to + 70° C</li> <li>Hoses for air brakes and air supply shall be specified for the temperatures range - 40 °C to + 70° C</li> </ul>	D	Not applicable
9.	4.2.12.2	Please add following requirement after (1): "The applicant shall in particular present in the technical file all information necessary to manage welding maintenance and performance during the life Cycle of the vehicle. Application of EN 15085-1-5:2007 is a sufficient mean of conformity to fulfill this requirement."	D: standards giving presumption of conformity should be in Application Guide.	The application guide already lists the EN 15085-1 (see its Annex 1, "strength of vehicle structure").
10.	4.2.12.2	Please add as point (17) : <u>"For interchangeable coaches: Description of all</u> <u>coupling interfaces including description of</u> <u>functionality, specification of interfaces and data</u> <u>processing and protocols."</u>	В	See OTIF/ERA proposal dated 04/08/2015. Add in clause 4.2.12.2 of the TSI the following: "(3 b) For units designed and assessed to be operated in 'general operation', description of the electric interfaces between vehicles and of the communication protocols, with the references to the EN standards or other normative documents that have been applied."
11.	4.2.7.1.3 Tail lights	<u>Please add :</u> (2) For units without driver's cab assessed for general operation, <b>excluding interchangeable coaches</b> , the	A	Coaches shall be fitted with fixed red tail lamps.

Ref	Extract of TSI LOC&PAS 1302/2014 on « general operation provisions"	(04/09/2015 OTIF WG TECH meeting)	Proposed way forward	Suggested requirement
		lamps may be portable lamps; in that case, the type of portable lamps		
		Add: "(2 b) Interchangeable coaches shall be fitted with an attachment device supporting and allowing the correct position of the portable front or rear end signal"		
12.	4.2.2.3	Please add in clause of the TSI the following: "For interchangeable coaches fitted with a gangway, this gangway shall comply with the annexes A or B of EN 16286-1:2013"	A	Coaches fitted with a gangway: this gangway shall comply with the annexes A or B of EN 16286- 1:2013"
13.	4.2.8.2. Power supply	Please add in section 1 (general) : "For interchangeable coaches the power supply shall fulfill CLC TS <b>50534 Annex A</b> "	A	The power supply shall fulfill CLC TS 50534 Annex A" UNIFE to confirm technical relevance.
14.	4.2.5.3.7 Applicability to units intended for general operation (1) Only functionalities that are relevant to the design characteristics of the unit (e.g. presence of a cab, of a crew interface system,) shall be considered. (2) The signals transmission required between the unit and the other coupled unit(s) in a train for the passenger alarm system to be available at train level shall be implemented and documented, taking into account functional aspects described above in this clause. ( <u>3) This TSI does not impose any technical solution regarding physical interfaces between units.</u>		A	The cable and plug of at least one line shall comply with the 18- conductor cable defined in UIC558 (plate 2). The objective is to ensure the continuity of the 18 train lines in case of coupling with existing RIC coaches; the functional compatibility is not required. (CER to check if this is OK for compatibility with existing RIC coaches)
15.	4.2.5.4. (6) Applicability to units intended for general operation: Only functionalities that are relevant to the design characteristics of the unit (e.g. presence of a cab, of a crew interface system, etc.) shall be considered. The signals transmission required between the unit and the other coupled unit(s) in a train for the communication system to be available at train	(6) Applicability to <b>interchangeable coaches</b> : Only functionalities that are relevant to the design	В	See point 10 above.

Ref	Extract of TSI LOC&PAS 1302/2014 on « general operation provisions"	CER Proposed amendment (04/09/2015 OTIF WG TECH meeting)	Proposed way forward	Suggested requirement
	taking into account functional aspects. This TSI	functional aspects.	TOTWATU	
	does not impose any technical solution			
	regarding physical interfaces between units.	If data communication protocol are used, they shall comply with IEC 61375.	A or B	UNIFE to confirm technical relevance.
16.	4.2.13 Markings	Add a new clause: 4.2.13 Markings For <b>interchangeable coaches</b> markings of the specification referenced in Appendix J-1, index 106 are required where applicable. New Appendix J-1, index 106: EN 15877-1:2013	A	Application of EN 15877-2:2013. CER to confirm the list of relevant markings.
17.	<ul> <li>6.2.7. Assessment of units intended to be used in general operation</li> <li>(1) Where a new, upgraded or renewed unit to be used in general operation is subject to assessment against this TSI (in accordance with clause 4.1.2), some of the TSI requirements require a reference train for their assessment. This is mentioned in the relevant provisions of Section 4.2. Similarly, some of the TSI requirements at train level cannot be assessed at unit level; such cases are described for the relevant requirements in Section 4.2 of this TSI.</li> <li>(2) The area of use in terms of type of RST which, coupled with the unit to be assessed, ensures that the train is compliant with the TSI is not verified by the Notified Body.</li> <li>(3) After such a unit has received the authorisation to be placed in service, its use in a train formation (whether TSI compliant or not) shall be dealt with under the responsibility of the Railway Undertaking, according to the rules defined in clause 4.2.2.5 of the OPE TSI (train composition).</li> </ul>	None	В	See OTIF/ERA proposal dated 04/08/2015: Add in clause 6.2.7 of the TSI the following: "(2 b) In the case where technical markings are affixed to the unit, the Notified Body shall verify that these markings are compliant to EN 15877-2:2013 and are consistent with the technical characteristics of the unit as documented in the technical documentation described in clause 4.2.12 of this TSI". ERA proposal do not include the obligation to mark the interchangeable coaches