



Organisation intergouvernementale pour les transports internationaux ferroviaires

Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr

Intergovernmental Organisation for International Carriage by Rail

WG TECH

28th Session

Minutes

Bern, 16-17.2.2016

DISCUSSIONS

Welcome by the OTIF Secretariat

Mr Bas Leermakers (head of OTIF's technical section) welcomed the participants ([List of participants Annex I](#)) and opened the 28th session of WG TECH in Bern.

1. Approval of the agenda

The **Secretariat** explained that the provisional agenda had been sent to participants with the invitation on 9 December 2015 (circular [A 92-03/512.2015](#)). It announced that under agenda item 13, any other business, two items would be discussed: the Commission's staff working document on railway noise and the draft agenda for CTE 9. Since there were no objections, the agenda was adopted accordingly.

Conclusion: WG TECH approved the agenda for the 28th session ([Annex II](#)).

2. General information (from the OTIF Secretariat)

The **Secretariat** introduced the meeting to Mr. Çağlar Tabak, the third trainee in OTIF's in-house expert training programme. The Secretariat once again invited all non-EU MS to nominate experts for the training programme in 2016 and to benefit from it.

The **Secretariat** informed the meeting that there were no changes with regard to the map of COTIF application.

In connection with the developments that took place after the 27th WG TECH, the Secretariat informed WG TECH about the following:

- The joint OTIF/COM expert RID/ATMF working group held its first meeting in Bern on 3 and 4 February 2016. The group will analyse the results of a study carried out for the European Commission (EC) in March 2013¹, identify new elements, propose legislative and non-legislative actions where needed and propose a general framework for coordination between RID and ATMF. This was the first time that two of OTIF's committees had formally cooperated.
- The newly set up ERA Working Party on the revision of OPE TSI held its first meeting in Lille on 12 January 2016. The OTIF Secretariat took part in it. The OTIF Secretariat reminded the WP about the equivalence between parts of the OPE TSI and COTIF. If amendments to these equivalent provisions were proposed, amendments should be made to both legal systems.
- On 7 January 2016, the non-EU Competent Authorities had been invited to review and comment on two documents: the OTIF Secretariat's draft position paper about the possible extension of the scope of the ECM regulation and ERA's questionnaire regarding ECM certification. Before the end of January deadline, the OTIF Secretariat had received feedback from CH and RS and had forwarded it to ERA, together with the position paper. The purpose of the paper was to provide input to ERA's WP on revising the ECM regulation. In its position paper, the OTIF Secretariat illustrated the differences between EU and non-EU States concerning the possible extension of the scope of the ECM certification scheme. Some of the main points were:
 - The mandatory certification of ECMs for freight wagons had been fully implemented and had not been called into question.
 - In the case of locomotives and train sets, it was quite common that the RU operating the vehicle was also the keeper and the ECM of the vehicle. In such a case, there were no questions concerning responsibilities and the railway undertaking was in a good position to influence the quality of maintenance, and
 - The number of these kinds of vehicles that are used internationally under COTIF is limited, so certification of ECM might lead to relatively high costs per vehicle with limited benefits.

¹ "Analysis of the interactions and coherence between railway and dangerous goods legislation in the European Union", <http://ec.europa.eu/transport/modes/rail/studies/doc/2013-03-10-rail-dangerous-goods.pdf>

- Application of the ECM certification to vehicles other than freight wagons on a voluntary basis could be a good way forward.

CER noted that in the future, RUs might choose not to be an ECM and keepers of their own rolling stock, which meant that ECM certification could be useful.

UNIFE referred to the proliferation of a business model in which rolling stock is owned by financial companies and leased to RUs.

IT believed the scope of ECM certification should be extended in order to prepare the rail system for the future.

CER stated that the SMS of an RU and maintenance were linked. If an RU's safety certificate is not valid in another State, this may lead to questions on how the RU organised the maintenance of its vehicles. At the same time, CER indicated that a voluntary ECM certification scheme may be sufficient to tackle this.

CH was also of the view that voluntary certification could remedy the concerns of NSAs. A mandatory scheme would add costs which may not be justified.

FR suggested that ERA's impact assessment could compare the EU and non-EU situations.

CH and FR supported the OTIF Secretariat's approach. In addition, both highlighted that, in addition to analysis by the EU, there must also be a clear evaluation of possible costs and benefits to non-EU OTIF MS.

The representative of the EU reminded that there is a legal obligation in the EU framework to evaluate the current certification process and informed the participants that EC already asked ERA to take into account the situation in non-EU OTIF MS in the impact assessment they are currently performing.

ERA confirmed to WG TECH that the impact assessment would also consider the non-EU situation and that the input from OTIF would be taken into account.

- The ERA ad-hoc task force on the sectoral scheme for accreditation of NoBos under Directive 2008/57/EC held its last meeting in Lille on 3 December 2015. The OTIF Secretariat took part in all its meetings. The advice, which ERA planned to submit to the EC, consisted of a sectoral scheme for the accreditation of conformity assessment bodies for the purpose of notification. The sectoral accreditation scheme used standard EN ISO /IEC 17065:2012 as its baseline. [Post meeting note: ERA has published the proposal for a harmonised accreditation scheme on its website. The scheme is available at this link:

<http://www.era.europa.eu/Document-Register/Pages/ERA-ADV-2014-15.aspx>

- ERA's workshop on ECVVR and ERATV² was held on 9 February 2016. Beside the OTIF Secretariat, CH and TR as non-EU MS also took part in this workshop. ERA noted that if need be, additional training could be organised for the other non-EU OTIF MS connected to VVR, which are using ERA's software. As of 7 January 2016 all EU MS and CH and RS are connected to VVR. ERA invited BA and ME, who had problems in connecting to VVR, to list the problems and to ask ERA for assistance. The Secretariat suggested that all non-EU MS connected to VVR should attend the following workshops and benefit from them.
- The Secretariat introduced its idea of developing "Interoperability beyond the EU" in the scope of COTIF. In practical terms, COTIF could evolve further so that it also provides a basis for interoperability, meaning that complete trains could cross borders without interruption. This would be complementary to the scope of ATMF, which basically supports the exchange of vehicles (and not the operation of complete trains) in international traffic. Whereas the EU concept of interoperability was linked to market opening and competition, COTIF should not prescribe or rely on a particular market model. After explaining the conceptual differences between COTIF and EU operational safety provisions and four virtual levels of harmonisation of

² European Centralised Virtual Vehicle Register (ECVVR) and European Register of Authorised Types of railway Vehicles (ERATV)

international traffic³, the OTIF Secretariat suggested that further development could be achieved by building a network of compatible railway systems in the following two steps:

- Creation of a new appendix to COTIF, and
- Creation of secondary safety and operational provisions

and to this end, presented the provisional calendar of work for the forthcoming period.

CH welcomed the ideas as a good development.

The representative of the EU underlined the importance of the link between harmonised safety principles and the interoperability of trains. It supported the basic ideas of this initiative.

In its response to a question from RS as to what a new appendix would achieve, the **Secretariat** explained that in practical terms, a new appendix would avoid possible numerous separate bilateral agreements between States regarding interoperable railway traffic.

With regard to the next steps envisaged, the **Secretariat** explained that none of the existing organs of OTIF fully seemed to cover the scope of interoperability and safety, although these issues are probably most closely associated with the CTE. Nevertheless, the main decisions would have to be taken within the competence of the Revision Committee and the General Assembly. For the next CTE 9, the OTIF Secretariat would prepare a discussion document.

3. Election of chairman

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 participants for the confidence it had placed in him.

4. Approval of the minutes of the 27th session of WG TECH

Document: [TECH 16007 WGT28 4 e 27 WG](#)
[TECH Provisional Minutes](#)

Provisional Minutes of the 27th
session (with delegates' corrections)

On 18 December 2015, the OTIF **Secretariat** had sent the provisional minutes to delegates who had attended the 27th session of WG TECH (17-18 November 2015). It had amended the provisional minutes in accordance with the correction requested by CER and uploaded them for the attention of WG TECH 28. The minutes including the amendments were approved.

Conclusion: The minutes of the 27th session of WG TECH were approved with the correction requested by CER.

5. Comments from Member States on documents proposed for CTE9:

a. Draft amended UTP WAG

Document: [TECH 16003 WGT28 5a e UTP](#)
[WAG v3](#)

Draft amendment of the UTP WAG
as submitted to WG TECH 28

The **Secretariat** informed the meeting that DE had updated the comments it had made at the previous WG TECH on UTP WAG and forwarded them to the OTIF Secretariat. The OTIF Secretariat had analysed these comments and included them in the uploaded document to be discussed at the WG TECH 28 meeting. The OTIF Secretariat had also received comments from IT and RS, which were received just before the meeting and were not therefore included in the uploaded document, but they were shown on the screen during the meeting.

³ Slide 21 of the OTIF Secretariat's presentation

DE and **IT** proposed that the requirement for the traceability of axles (point 4.2.3.6.4) should be applied in both EU and non-EU MS. Following this change, footnote 36 relating to the maintenance plan (point 4.5.3) should be deleted.

The **Secretariat** was of the view that the document “Final report on the activities of the Task Force Freight Wagon Maintenance” could be referred to in full width text if the annexes were also made public and were given reference numbers and dates. Neither of these conditions were met at the time of the meeting.

ERA understood the problem and confirmed that it would provide the OTIF Secretariat with the elements required.

RS noted that recording data on the rolling stock in ERATV was not in the scope of COTIF, so the second paragraph in point 4.8 should only appear in the right-hand column, rather than across both columns. **RS**’s suggestion was tacitly adopted.

The **Chairman** summarised the discussion and **concluded this item as follows**:

1. **The document was ready for adoption** at CTE 9.
2. The amendment concerning the traceability of axles was accepted on condition that ERA provides the report and its annexes with a reference number and date and makes the annexes public.
3. The deadline for the Secretariat to publish the documents for the CTE in three languages was 7 April 2016. Therefore, any additional comments on the draft UTP WAG should be sent to the OTIF Secretariat as soon as possible.

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

Document: [TECH_16004_WGT28_5b_e_GEN_G_v2](#) Draft amendment of the UTP GEN-G as submitted to WG TECH 28

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

CER was of the view that the actors listed who implement risk control measures defined as “proposer” (point 3, item 11.) should be aligned with the changes in the EU, as defined by the fourth railway package. It also requested clarification of the term: “regional regulation” (point 6.4).

The Secretariat was of the opinion that CTE should not discuss this topic until the EU had decided its final position. With regard to the clarification requested, it referred to the regulations of the EU.

The representative of the EU agreed with the Secretariat’s view. In addition, she underlined that no change should be made within OTIF until ERA had finished its impact assessment and after the recast of the Directive on railway safety had entered into force (*planned for*) in June 2016. She explained that this topic would be also assessed within the framework of the preliminary analysis of the fourth railway package impact assessment on APTU and ATMF carried out by the EC.

RS agreed with both the Secretariat and the EU and noted that CTE should await the final version of the document from the EU.

The **Chairman** summarised the discussion and noted **CER**’s input regarding the term “proposer” (point 3, item 11.). **WG TECH** anticipated that equivalence between OTIF and EU legislation after the recast of the Directive on railway safety entered into force would be achieved in June 2017. He also noted the difficulty in making specific changes to the OTIF text before it was finalised in the EU.

Conclusion: **WG TECH** considered that the **document was ready for adoption** at CTE 9.

6. TAF transposition into COTIF

a. Information about the workshop

Document: [TECH_16008_WGT28_6b_e_TAF_TSI_Executive_Summary_20151030](#) TAF TSI Executive Summary

The **Secretariat** reminded the meeting about CTE's request regarding the need to organise a regional workshop on TAF. It also informed the meeting that at the preparatory meeting held on 19 November 2015, the OTIF Secretariat and ERA had discussed and agreed the agenda for the workshop. In addition, the meeting was informed that the OTIF Secretariat had put a lot of effort into finding a workshop location in a non-EU MS, but without success. Nevertheless, following the kind invitation of Rail Net Europe (RNE), it was agreed that RNE would host the TAF regional workshop in Vienna on 27 April 2016.

The formal invitation to the workshop would be sent to the non-EU Member States in the coming weeks. The OTIF Secretariat underlined that it was not always the competent authorities that dealt with TAF. It therefore invited all the non-EU Member States' potential users of TAF specifications - freight operating companies, railway undertakings, infrastructure managers, wagon keepers, ECMs and railway customers, such as logistics companies - to attend the workshop and to support WG TECH's policy discussion concerning the option to transpose the core TAF specifications and the appendices into OTIF's legal framework.

The **Chairman** noted that there were no further comments regarding the preparatory OTIF Secretariat and ERA meeting. He emphasised that TAF was one of the points which could also improve cooperation between EU and non-EU MS, and to this end invited MSs' competent authorities to forward the invitation to all possible business users in their countries.

b. Discussion on principles and planning of the TAF TSI transposition

The **Secretariat** informed the meeting that it anticipated transposition of the TAF into COTIF in 2016/2017 and that the text would be prepared for a vote at CTE 10 in June 2017 at the earliest. It was highlighted that the technical documents in Appendix I would then be only referred to from the UTP framework, in other words TAF TSI would be transposed into a UTP TAF, with a reference to the technical appendices on the ERA website. The Secretariat reminded the meeting about its limited resources for participating in TAF related meetings and invited experts to support the OTIF Secretariat in this respect.

The **Chairman** noted that there were no objections to this proposal and concluded that WG TECH agreed that TAF would be transposed into COTIF in accordance with the Secretariat's proposal, i.e. in June 2017.

7. Information on developments in EU regulations which will affect equivalence with OTIF law and discussion on next steps (EC/ERA)

Revision of CSMs for conformity assessment and CSM on supervision

Christoph KAUPAT of ERA informed the meeting of developments regarding the work of the WG to revise CSMs for conformity assessment⁴ and CSMs on supervision⁵. These particular CSMs have no equivalent in COTIF. The WG's objective was to ensure that a more consistent approach across NSAs is adopted, taking into account that ERA would also be authorised to issue single safety certificates. ERA's recommendation to the EC would be submitted by no later than 1 June 2017. Before that, ERA would have to prepare position papers on the safety assessment process, principles for coordinated/joint

⁴ Commission Regulation (EU) No 1158/2010 of 9 December 2010 on a common safety method for assessing conformity with the requirements for obtaining railway safety certificates and Commission Regulation (EU) No 1169/2010 of 10 December 2010 on a common safety method for assessing conformity with the requirements for obtaining a railway safety authorisation

⁵ Commission Regulation (EU) No 1077/2012 of 16 November 2012 on a common safety method for supervision by national safety authorities after issuing a safety certificate or safety authorisation

supervision, interface assessment-supervision, national requirements (former Part B) and competencies for conformity assessment and supervision.

Revision of the LOC&PAS and WAG TSIs

Christoph **KAUPAT** presented the following status update of the revision of the LOC&PAS and WAG TSIs:

- A recommendation to revise TSI LOC&PAS had been sent to the EC in December 2015⁶. Three open points were closed: passive safety requirements for heavy haul freight locomotives, variable gauge wheelsets and aerodynamic effects for 1520 mm, 1524 mm and 1668 mm track gauge systems.
- During 2016, ERA plans to close another three open points in the LOC&PAS TSI: braking system independent of adhesion conditions (Eddy current brake), aerodynamic effects on ballasted track for rolling stock of design speed more than 190 km/h and on-board energy measurement system. The additional optional requirements for compatibility with vehicles accepted for general operation would be also introduced⁷. It is planned to send this recommendation to the commission by the end of 2016.
- ERA's recommendation to revise TSI WAG would be submitted to the EC by March 2016. It planned to close all open points: on-board axle bearing condition monitoring, test conditions for on-track tests (running dynamic behavior) and variable gauge wheelsets.

With regard to the common elements of the work, both recommendations would define rules relating to EC type/design examination certificates, the general procedure for modifying approved vehicle types and existing vehicles, amendments to chapter 6 to better reflect the impact of specific cases on IC, and lastly, the references to standards, UIC leaflets and technical documents would be updated.

The representative of the EU confirmed that ERA's recommendation for TSI LOC&PAS 'Unique Authorisation' had been submitted to the EC and that its adoption will have to be conducted within the new process defined in the fourth railway package.

The **Chairman** noted that ERA had included the topic of interchangeable coaches in its work.

OPE TSI work programme 2016/2017

Christoph **KAUPAT** presented the main elements of the TSI OPE work programme for 2016/2017. The programme would further develop Appendices B and C of the TSI OPE⁸, with the aim of further harmonising operating rules and ensuring interoperability. One of the main tasks would be the reduction and/or deletion of unnecessary national safety rules already covered by EU legislation. This process had three stages. The last stage would result in all MS sending ERA their national implementation plans (NIPs). It was anticipated that the work would be finalised during 2018 and the revised TSI OPE would enter into force on 1 January 2019, together with the starting point of ERA's new role for vehicle authorisation and safety certification according to the fourth railway package.

The **Chairman** noted that the entry into force of the revised TSI OPE was planned for 1 January 2019 and opened the discussion.

The representative of the EU informed the meeting that a guidance to support the Member States to develop their NIPs is under discussion.

IT highlighted the importance of reducing the number of national safety rules. **IT** was of the view that the EU's notification system also needed to be updated, as the present process was time-consuming.

CH wondered whether the language would be a topic for harmonisation for this WP. **CH** was concerned that there may be a conflict between requirements for language skills and to standardise the language with standard forms.

⁶ To be distinguished from ERA's recommendation for TSI LOC&PAS 'Unique Authorisation', WG TECH 26, page 9, 9-10 June 2015, Amiens

⁷ Topic relating to interchangeable coaches, i.e. agenda item 9

⁸ Common operational principles and rules (Appendix B) and safety-related communications methodology (Appendix C)

ERA explained why language skill requirements were also defined in the Directive for train drivers⁹, although staff competencies and health and safety conditions were being developed in the context of the interoperability directive, in particular as part of the OPE TSI.

The representative of the EU confirmed that language skills was one of the topics that had been discussed in developing the fourth railway package. She was of the view that a short presentation about language requirements and the discussion that had preceded the decision at EU level might be useful for WG TECH. To this end, she invited ERA to prepare such a presentation for the next meeting of WG TECH.

Revision of the NVR Specification

The **Secretariat** informed the meeting that it had forwarded ERA's questionnaire on the analysis of how the data fields in the NVR are currently used and to identify common elements to the harmonised NVR dataset to be added with a deadline 15 February. The importance of maintaining the functionality of NVRs of non-EU OTIF MSs that were already connected to the ECVVR was again highlighted.

The **Chairman** noted that such an established channel of communication through the OTIF Secretariat was very good and invited non-EU OTIF MS to continue to use it.

Conclusion on item 7:

- WG TECH thanked to Mr. Kaupat for his presentations on the revision of CSMs for conformity assessment and CSM on supervision, the revision of the LOC&PAS and WAG TSIs and the TSI OPE work programme 2016/2017.
- WG TECH welcomed the fact that ERA had included the topic relating to interchangeable coaches in its work.
- WG TECH invited ERA to prepare for WG TECH 29 a short presentation about language requirements and the discussion that had preceded the decision at EU level.

8. Fourth Railway Package - assessment of consequences for equivalence with COTIF (EC)

The representative of the EU informed the meeting about the fourth railway package status update. She reminded the meeting that the baseline idea that had led to the Commission's fourth railway package proposal was to improve the railway transport system by making it more interoperable, more efficient and more competitive.. In addition to what had been already said at WG TECH 26¹⁰, she informed the meeting that the Council had adopted its position at the first reading on the "technical pillar" on 10 December 2015 and after the final adoption in the European Parliament it would be published, while discussion on the "market pillar" was still ongoing. She reminded the meeting that the fourth railway package would have to be transposed into the EU MSs' national laws three years after its entry into force. In her presentation, she underline several key outcomes of the legislative discussion on the fourth railway package:

- In order to support and further harmonise implementation of the related directives, new definitions were introduced.
- A new framework for the adoption of TSIs, i.e. a two step approach, was also highlighted:
 - Objectives specific to each TSI to be defined by **delegated act**, and
 - The content of TSI to be adopted by an **implementing act**.

In response to the Chairman's question as to who would adopt these acts, **the representative of the EU** explained that the Commission was empowered to adopt the delegated act in order to set out the specific objectives of each TSI. A delegated act may be revoked by the European Parliament or by the Council. In order to implement the specific objectives set out in the delegated act, the Commission would establish

⁹ Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community, as amended by Commission Directive 2014/82/EU of 24 June 2014

¹⁰ WG TECH 26, item 9.a, page 12, 9-10 September 2015, Amiens

TSIs by means of implementing acts. For an implementing act, there is no possibility of a veto from the European Parliament and Council.

She informed the meeting that the current comitology process¹¹ applied for the last time for the revision of the TSI CCS adopted by RISC 75.

The representative of the EU explained that one of the major changes would be ERA's new tasks in connection with the authorisation to place vehicles on the market (and safety certification for railways undertaking). Applications for the authorisation of vehicles in more than one MS would be handled by ERA. In the case of authorisations for a single MS, applicants could choose whether to address their applications to ERA or to the national NSA. ERA would work together with all NSAs and to this end, would have to conclude cooperation agreements with them.

UNIFE wondered whether the new framework of the 4th Railway package significantly changed the process of "placing a vehicle on the market" and "placing a vehicle in service". In its view, the responsibility of the industry should end when a vehicle was placed on the market. He also wondered whether the process of authorisation would be harmonised among NSAs.

The representative of the EU explained that it would only be possible to "place a vehicle on the market once the "vehicle *authorisation* for placing on the market" had been received. In practical terms, the authorisation had to indicate the area in which the vehicle would be used and certify compatibility between the vehicle and the infrastructure and that the vehicle complied with the relevant TSIs and, where applicable, the relevant national rules. On the basis of this authorisation the vehicle could be placed on the market on the whole EU market. However, "Placing a vehicle in service" would remain the responsibility of the RUs which would have to ensure it to be operated in accordance with the authorisation and in particular its area of use.

In reply to the Secretariat's question as to whether the mutual recognition of the first admission to operation¹² would be affected, **the representative of the EU** said that it might be necessary to confirm equivalence between the wording "placing in service" used currently in the OTIF framework and "vehicle authorisation to place in the market" used in the framework of the 4th Railway package and which should be further analysed.

To continue her presentation, **the representative of the EU** informed the meeting about the renewed framework for railway safety and highlighted ERA's greater role in the process of reducing the number of national rules. With regard to the European vehicle register, she explained that it would incorporate the national vehicle registers, with the aim of harmonising the interface with all users.

In reply to the Chairman's question as to when the process of aligning COTIF could start, **the representative of the EU** explained that a stable text of amendments to both directives would probably be available in June 2016. This would be followed by a lot of interaction between the Commission and Member States, resulting in the adoption of all the necessary implementing legislation by 2018.

The **Secretariat** added that after June 2016, the OTIF Secretariat would have two years to react. In practical terms, this was a good starting point for its planning and how to deal with the amendments to COTIF.

The **Chairman** summarised item 8 as follows:

- WG TECH thanked Ms San Martin for her presentation on the technical pillar of the fourth railway package- and for the useful overview of all the parts of the fourth railway package and the concept behind it.
- WG TECH noted that two years after the entry into force of both directives, the EU would define all the practical arrangements/legal provisions.
- WG TECH also noted that after the adoption of legal texts in the EU, the OTIF Secretariat would adopt its work plan accordingly.
- WG TECH once again highlighted the importance of maintaining equivalence between OTIF and EU legislation.

¹¹ An adopted formal opinion of the RISC committee before the Commission adopts its legal document.

¹² UTP WAG, point 7.1.2.

9. Status update on interchangeable coaches:

Document: [TECH 16002 WGT28 9b e Interchangeable coaches](#) Interchangeable coaches; REQ Analysis after the Workshop on 4.11.2015

The **Secretariat** informed the meeting that ERA's WP on TSI LOC&PAS was developing an additional clause for vehicles intended for general operation, based on the table that was presented at the previous WG TECH. The table was based on the requirements defined by CER and discussed at the Commission's workshop in Brussels on 4 November 2015, with the participation of COM, ERA, CER, UNIFE and the OTIF Secretariat. The Secretariat pointed out that this was the first time a topic originally initiated by WG TECH had been transferred to an ERA WP for further development.

With regard to IT's concerns that unique authorisation was not possible for locomotives and train sets for the time being, the **Secretariat** explained that for coaches, i.e. for vehicles that correspond to a unit without an onboard CCS-subsystem (ERTMS or class B) or a non-active onboard CCS-subsystem, it should be possible.

CER reiterated its earlier position with regard to where to list optional requirements for interchangeability and how to mark these interchangeable vehicles¹³.

The **Chairman** noted the progress made on this topic and highlighted the useful contributions from CER, UNIFE and ERA and the roles of the Commission and the OTIF Secretariat, who were both managing the whole process. He also noted that rules for interchangeable coaches would be ready by 2017, or 2018 at the latest.

10. Draft explanatory document for UTP GEN-D (assessment procedures)

Document: [TECH 16005 WGT28 10 e EU-OTIF explanatory document for UTP GEN-D v1](#) Draft explanatory document for UTP GEN-D

The **Secretariat** had drafted an explanatory document on the principles and structure of the assessment procedure of the UTP. The Secretariat explained that the document would be submitted to CTE 9 for discussion. The Secretariat would only publish it once it had been reviewed by the CTE.

Conclusion on item 10: WG TECH took note of the UTP GEN-D explanatory document and instructed the OTIF Secretariat to submit it to the CTE.

11. EU - OTIF equivalence table

Document [TECH 16006 WGT28 11 e EU-OTIF equivalence table](#) Equivalence table EU/OTIF regulations

The **Secretariat** informed the meeting about recent developments on both sides of the EU-OTIF equivalence table. It informed the meeting that the following had been added:

- A recommendation regarding "Unique Authorisation" sent by ERA to EU COM: "Conditions for application of Article 23(1) of Interoperability Directive" amending Commission Regulation (EU) No 1302/2014 "TSI LOC&PAS" as well, and
- A recommendation concerning the same TSI LOC&PAS in order to "close the open points"

The **Chairman** noted the information on the updated version of the equivalence table and asked WG TECH members to give the OTIF Secretariat adequate and timely feedback, if necessary.

¹³ WG TECH 27, item 9, page 10, 17-18 November 2015, Bern

12. Next sessions

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

The 29th session of WG TECH will be held on 7 and 8 September 2016 in Lille.

The 30th session of WG TECH will be held on 16 and 17 November 2016 in Bern.

13. Any other business

a. Commission staff working document on railway noise

Document	http://ec.europa.eu/transport/modes/rail/doc/2016-01-05-cswc-rail-noise-reduction.pdf	European Commission working document on rail freight noise reduction
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The representative of the EU informed the meeting about the status of the Commission's staff working document and the subsequent steps. She reminded participants that this topic had been presented in detail at WG TECH 26¹⁴. She also explained that the future revision of NOI TSI would also take into account all comments on this document that had been received.

In addition to the information provided by the EU, the **Secretariat** pointed out that this document had also been presented at RISC 75. It had noted in the discussions that noise abatement did not have the same priority in different EU MSs. Some States feared that noise abatement would make rail transport more expensive and less competitive, whilst others thought that noise abatement was a condition for rail transport to grow without losing public support.

CH informed the meeting that according to Swiss national provisions, from 2020 only silent wagons¹⁵ may run on the Swiss network. In addition, CH explained the numerous reasons that had led to these provisions, i.e. lack of space, disturbance of inhabitants along railway lines and, above all, environmental protection. CH highlighted its dedication to shifting more freight from road to rail, which was very important and was one of the main tools used to reduce traffic noise in Switzerland. CH did not welcome being mentioned in the document as a state that breached the principles of interoperability, as the Swiss aim of noise reduction was shared with several EU MS.

The **Secretariat** underlined that unilateral measures were not in the spirit of COTIF and that banning noisy wagons would not be possible under the current rules of COTIF. Member States of OTIF could of course make a declaration no longer to apply certain provisions of the Convention or of certain Appendices, but this would hamper international traffic or make it impossible. The OTIF Secretariat suggested that a multilateral solution to this problem should be found. It hoped that CH would also continue to apply COTIF in full after 2020.

The representative of the EU agreed that as well as maintaining interoperability, work on achieving a modal shift was also very important. She informed the meeting that after the Commission had prepared it, the proposal for the (future) revision of the NOI TSI would be discussed with EU MS and CH, which would avoid CH having to cease applying COTIF or certain parts of it.

CER reminded the meeting that wagons retrofitted with composite brake blocks required higher maintenance costs. He was of the view that banning wagons from the network should be delayed as long as possible. It would be very challenging to retrofit all wagons by 2020, not just financially but also logistically. He supported the idea of finding consensus on this issue.

The **Chairman** noted that the Commission, in cooperation with the EU MS and CH, should first find a solution, rather than the CTE.

CER commented that this could be a problem for the future process of revising the NOI TSI. It also suggested that rail track barriers could be an alternative measure. The expertise of the "Shift²Rail" initiative could be called upon to look into this.

The **Chairman** noted that this issue would be discussed further at future meetings.

¹⁴ WG TECH 26, item 9b., page 14, 9-10 September 2015, Amiens

¹⁵ The wagon is considered as silent if is equipped with composite (K or LL) brake blocks

b. Draft agenda for CTE 9

The Secretariat had submitted proposals to WG TECH for the agenda of CTE 9 ([Draft agenda for the CTE 9 Annex III](#)). Since there were no objections, the draft agenda was adopted accordingly.

Conclusion on item 13.b: the draft agenda for CTE 9 was approved.

Closing remarks:

The Chairman summarised the meeting, highlighting interchangeable coaches as an excellent example of good cooperation between all those involved in the work of WG TECH.

As this was the last OTIF WG TECH meeting Mr. Anthony Godart (FR) would attend, the Chairman thanked him for his productive cooperation and wished him all the best for the future.

The Chairman thanked all the participants for the productive discussion and the OTIF Secretariat for the excellent preparation of the meeting, and closed the 28th WG TECH meeting.


List of participants**Annex I****I. Gouvernements / Regierungen / Governments****Allemagne/Deutschland/Germany**

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

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Approved Agenda

Annex II

1. Approval of the agenda
2. General information (from the OTIF Secretariat)
3. Election of chair
4. Approval of the minutes of the 27th session of WG TECH
 Document: [TECH_16007_WGT28_4_e_27_WG_TECH_Provisional_Minutes](#) Provisional Minutes of the 27th session
5. Comments from Member States on documents proposed for CTE 9:
 - a. Draft amended UTP WAG
 Document: [TECH_16003_WGT28_5a_e_UTP_WAG_v3](#) Draft amendment of the UTP WAG as submitted to WG TECH 28
 - b. Draft amended UTP GEN-G (CSM risk assessment)
 Document: [TECH_16004_WGT28_5b_e_GEN_G_v2](#) Draft amendment of the UTP GEN-G as submitted to WG TECH 28
6. TAF transposition into COTIF
 - a. Information about the workshop
 - b. Discussion on principles and planning of the transposition
 Document: [TECH_16008_WGT28_6b_e_TAF_TSI_Executive_Summary_20151030](#) TAF TSI Executive Summary
7. Information on developments in EU regulations which will affect equivalence with OTIF law and discussion on next steps (EC/ERA)
8. Fourth Railway Package evaluation of consequences for equivalence with COTIF (EC)
9. Status update on interchangeable coaches:
 - a. Status update on the Working Party Unique Authorisation (ERA)
 - b. Status update on implementing the provisions for interchangeability (ERA)
 Document: [TECH_16002_WGT28_9b_e_Interchangeable_e_coaches](#) Interchangeable coaches; REQ Analysis after the Workshop on 4.11.2015
10. Draft explanatory document for UTP GEN-D (assessment modules)
 Document: [TECH_16005_WGT28_10_e_EU-OTIF_explanatory_document_for_UTP_GEN-D_v1](#) Draft explanatory document for UTP GEN-D
11. EU - OTIF equivalence table
 Document [TECH_16006_WGT28_11_e_EU-OTIF_equivalence_table](#) Equivalence table EU/OTIF regulations
12. Next sessions
13. Any other business
 Document <http://ec.europa.eu/transport/modes/rail/doc/2016-01-05-cswc-rail-noise-reduction.pdf> European Commission working document on rail freight noise reduction

Draft agenda for the CTE 9**Annex III**

1. **Approval of the agenda**
2. **Presence and quorum**
3. **Election of chairman**
4. **For information:**
 - Report from the Committee of Technical Experts working group TECH
 - Status of notifications of the national technical requirements according to Article 12 APTU
 - ERA consultation of non-EU OTIF Member States (CCS TSI revision)
 - Status of the development of the NVRs in the Contracting States
 - Briefing on the progress of the RID/ATMF working group and DDD working group
 - Update on the progress regarding interchangeable coaches
5. **For adoption:**
 - UTP WAG
 - UTP GEN-G
6. **For discussion:**
 - TAF TSI – transposition and planning
 - UTP GEN-D explanatory document
 - Interoperability beyond the EU
 - CTE work programme 2016/17
7. **Any other business**
8. **Next session**