



ORGANISATION INTERGOUVERNEMENTALE POUR LES TRANSPORTS INTERNATIONAUX FERROVIAIRES
ZWISCHENSTAATLICHE ORGANISATION FÜR DEN INTERNATIONALEN EISENBahnVERKEHR
INTERGOVERNMENTAL ORGANISATION FOR INTERNATIONAL CARRIAGE BY RAIL

**Secrétaire général
Generalsekretär
Secretary General**

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**TO THE MEMBER STATES OF OTIF AND TO REGIONAL
ORGANISATIONS WHICH HAVE ACCEDED TO COTIF**

NOTIFICATION

of Regulations adopted by the 7th Committee of Technical Experts in accordance with Appendix F (APTU) and G (ATMF) to the Convention

I have the pleasure to notify the Member States that at its 7th session on 5 June 2014, the Committee of Technical Experts (CTE) adopted/amended the following regulations:

UTP LOC&PAS Doc. A 94-03/2.2013 version 08	SUBSYSTEM ROLLING STOCK LOCOMOTIVES AND PASSENGER ROLLING STOCK	<i>new</i>
UTP PRM Doc. A 94-05/1.2014 version 06	Uniform Technical Prescriptions ACCESSIBILITY FOR PERSONS WITH DISABILITIES AND PERSONS WITH REDUCED MOBILITY	<i>new</i>
UTP MARKING Doc. A 94-09/1.2014 version 04	Uniform Technical Prescriptions APPLICABLE TO VEHICLE NUMBERS AND LINKED ALPHABETICAL MARKING ON THE BODYWORK	<i>new</i>
UTP GEN-A Doc. A 94-01A/1.2011 version 11	General Provisions ESSENTIAL REQUIREMENTS	<i>amended</i>
UTP GEN-C Doc. A 94-01C/1.2011 version 09	General Provisions TECHNICAL FILE	<i>amended</i>
UTP WAG Doc. A 94-02/2.2012 version 09	SUBSYSTEM ROLLING STOCK FREIGHT WAGONS	<i>amended</i>
NVR Specification Doc. A 94-20/2.2012 version 03	OTIF Register system – Rolling Stock National Vehicle Registers (NVR)	<i>amended</i>

The consolidated versions of the three language versions of these regulations have been placed OTIF's website under "Technology" > "Notifications".

These adopted regulations are the result of intensive cooperation between the OTIF Contracting States, the European Railway Agency, the European Commission and the OTIF Secretariat. I am very pleased that again the Committee of Technical Experts has succeeded in adopting new UTPs, i.e. the UTP LOC&PAS and the UTP PRM, which are scheduled to enter into force on the same date as their equivalent EU TSIs, 1 January 2015.

Brief explanation of the new regulations

UTP LOC&PAS was prepared in accordance with a decision taken by CTE 6, which mandated WG TECH to develop the draft UTP LOC&PAS. The adopted document corresponds to the latest draft LOC&PAS TSI that is expected to enter into force on 1 January 2015. The UTP is equivalent to the TSI, with the following additional elements:

- Appendix K, which includes provisions for train composition and the correct use of vehicles, corresponding to provisions from the TSI OPE, and

- Specific cases for Switzerland and Norway and specific environmental conditions for Switzerland.

The EU legal reference number of the corresponding TSI LOC&PAS was not available at the time of adoption and is therefore left open in the adopted document. This reference will be added before the UTP enters into force.

UTP PRM was prepared in parallel with UTP LOC&PAS in accordance with a decision taken by WG TECH 21 to develop a separate UTP PRM (not part of the UTP LOC&PAS). The adopted document was based on the version of the PRM TSI that is expected to enter into force on 1 January 2015. The UTP is equivalent to the TSI, with the following different or additional elements:

- The application of infrastructure related parameters in the UTP PRM, in particular those for platforms and stations, are voluntary for OTIF's non EU Member States, and
- Specific cases for Switzerland, and
- Appendices B and C, which refer to implementing provisions for the PRM TSI in the EU, do not apply to non-EU OTIF Contracting States.

The EU legal reference number of the corresponding TSI PRM was not available at the time of adoption and is therefore left open in the adopted document. This reference will be added before the UTP enters into force.

UTP MARKING defines provisions for the marking of vehicles. The adopted document contains regulations which, up to now, were set out in Appendix PP to the UTP WAG. As the marking specifications apply not only to freight wagons, but to all types of vehicles, it was decided to create a UTP MARKING. The contents of the UTP are equivalent to the content of appendix 6 of the EU NVR specification (with the exception of part 4, which is already in the OTIF NVR specification), Appendix P to the OPE TSI and to the Tables for coding as published on ERA's website.

Brief explanation of the amended regulations

UTP GEN-A on essential requirements. The adopted amendments are in line with the amendments to Annex III of Directive 2008/57/EC brought about by Directive 2013/9/EU. The main changes are:

- Introduction of the new essential requirement: accessibility to persons with disabilities and persons with reduced mobility, and
- Modification related to the essential requirement 'noise' in section 1.4.4.

UTP GEN-C on the requirements applicable to the technical file. The adopted amendments are in line with the amendments to Annex VI Section 4 of Directive 2008/57/EC brought about by Directive 2011/18/EU, which mainly concerns editorial improvements and updates of legal references.

The **UTP WAG** was updated as a consequence of the new UTP MARKING. The adopted amendments delete Appendix PP and change the current reference from Appendix PP to the new UTP MARKING. In addition, the adopted amendments also update the reference in Appendix G to the latest list of approved composite brake blocks. Finally, the adopted amendments introduce a minor change to Appendix I in order to reflect correctly the EU TSI OPE.

The **NVR Specification** was also updated as a consequence of the new UTP MARKING. The CTE 7 has adopted the following decisions:

- The Annex to document A 94-20/2.2012 dated 01.03.2013 is replaced by the Annex as adopted. The adopted amendments concern changing the reference in: “1.Data, 1.Vehicle number, Content”, with “*Unique vehicle number as defined in the UTP for vehicle marking*”
- The decisions 2, 3 and 4 of the document A 94-20/2.2012 dated 01.03.2013 remain in force.
- The OTIF secretariat shall publish on its website a consolidated version of document A 94-20/2.2012 dated 01.03.2013 and the decision adopted by CTE 7.

Entry into force

In accordance with the second sentence of Article 35 § 3 of the Convention, these regulations will enter into force on the first day of the sixth month following this notification, i.e. on **1 January 2015**, unless the number of objections received (see below) invalidates the entry into force.

Member States which have made a declaration in accordance with Article 42 of the Convention that they will not apply Appendix F to COTIF 1999 will not be affected by the entry into force or amendment of UTP LOC&PAS, UTP PRM, UTP MARKING, UTP WAG, UTP GEN-A and UTP GEN-C as long as their declaration is in force.

Member States which have made a declaration in accordance with Article 42 of the Convention that they will not apply Appendix G to COTIF 1999 will not be affected by the entry into force of the amended NVR Specification as long as their declaration is in force.

Objections

With regard to the new or amended regulations that have been adopted, a Member State which, at the time of expiry of the deadline indicated below, applies the Appendix to the Convention in pursuance of which a regulation has been adopted, may, according to Article 35 §§ 4 and 6 of the Convention, formulate an objection to the adoption of the regulation within a period of four months from the day of the notification, i.e. in this case by **10 November 2014**, at the latest. The objection may concern the whole regulation or specific parts of it.

According to Article 38 § 3 of the Convention the EU may exercise the right of its Member States to submit an objection, in which case the EU Member States concerned may not object individually.

The consequences of an objection are indicated in Article 35 § 4. In most cases, an objection will jeopardise the unrestricted international circulation of railway vehicles out of the objecting State and in transit through it. If one quarter of the Member States object to a notified regulation, it will not enter into force.

According to Article 35 § 6 of the Convention, Member States which

- a) do not have the right to vote (Article 14 § 5, Article 26 § 7 or Article 40 § 4), or
- b) are not members of the Committee concerned (Article 16 § 1, second sentence), or
- c) have made a declaration in accordance with Article 9 § 1 of the APTU Uniform Rules


will not be taken into account when determining the number of objections.

Confirmation of entry into force

The definitive date of entry into force of a regulation or its rejection will be communicated to the Member States by a circular and published on the OTIF website shortly after the deadline for objections has passed.

I should like to use this opportunity to draw the Member States' attention to Article 26 of the Vienna Convention, which implies that for their national territory, the Member States concerned shall have brought into force the laws, regulations and administrative provisions necessary to comply with these regulations by the date of their entry into force, at the latest.

Yours faithfully



(François Davenne)
Secretary General

The following international organisations and associations have received a copy of this circular for information:

- European Railway Agency (ERA)
- International Union of Railways (UIC)
- International Rail Transport Committee (CIT)
- International Union of Wagon Keepers (UIP)
- Organisation for Railways Cooperation (OSJD)
- Community of European Railway and Infrastructure Companies (CER)
- European Rail Freight Association (ERFA)
- Union of European Railway Industries (UNIFE)
- International Association of Public Transport (UITP)
- International Union of combined Road-Rail transport companies (UIRR)
- European Committee for Standardisation (CEN)
- International Association of Private-Sidings Users (IVA)