



Organisation intergouvernementale pour les transports internationaux ferroviaires
Zwischenstaatliche Organisation für den internationalen Eisenbahnverkehr
Intergovernmental Organisation for International Carriage by Rail

OTIF/JCGE/2023-A

9.11.2023

(English only)

**TO THE PARTICIPANTS OF THE 6TH SESSION OF THE JOINT COORDINATING
GROUP OF EXPERTS**

**Final Report of the 6th meeting of the Joint Coordinating Group of Experts
(Hybrid meeting, Bern and online, 6 September 2023)**

Agenda item 1: Approval of the agenda

Document: TECH-23027-JCGE (Secretariat)

1. As the host of this year's meeting, the OTIF Secretariat opened the meeting and welcomed all participants attending in person or remotely. It provided advice on the procedure of the meeting and practical information for the hybrid session. It recalled the purpose of the meeting and the role of the JCGE, which was to give advice and make proposals for modifications to RID and the provisions of the TSI/UTP.
2. The following Member States participated in the work of the Joint Coordinating Group of Experts (see also Annex I):

Albania, Algeria, Austria, Belgium, Croatia, Finland, Georgia, Germany, Hungary, Italy, Latvia, Lithuania, Morocco, Netherlands, Poland, Switzerland, Türkiye and GCC.

The European Commission and the European Union Agency for Railway were represented.

The following non-governmental international associations were represented: Community of European Railway and Infrastructure Companies (CER), European Chemical Industry Council (Cefic), Association of Notified Bodies (NB-Rail), International Union of Railways (UIC), and International Union of Wagon Keepers (UIP).

3. The provisional agenda contained in the invitation TECH-23027-JCGE of 30 June 2023 was adopted without changes.

Agenda item 2: Appointment of chair or co-chairs

4. In accordance with Article 4 § 1 of the Rules of Procedure as adopted in the preparatory meeting of the JCGE on 7 February 2019, The JCGE Secretariat nominated Mr Rainer Kogelheide (UIP) as Chair. There were no other nominations for chair or co-chair. Mr Rainer Kogelheide accepted the role as sole Chair. The meeting approved the nomination of the Chair.

Agenda item 3: Analyses of draft proposal for migration of wagon-related requirements from RID to UTP and TSIs (INF. 1)

5. The Chair opened the discussion on agenda item 3 and noted that the future implementation of digital automatic coupling (DAC) had led to considerations of its impact on the transport of dangerous goods. This had also meant that amendments would be necessary to the substance and structure of RID and the TSIs/UTPs in terms of vehicle requirements. Following a series of meetings led by the European Union Agency for Railways (ERA), INF.1 had been drafted. The chair invited ERA to present INF. 1.
6. ERA (represented by Mr Emmanuel Ruffin) thanked the many delegates in this meeting who had been involved in the development of INF. 1. The objective of this document had been to align the vehicle (wagon) requirements in RID and the TSI/UTP provisions. ERA noted that it was a good moment to carry out this work, as the introduction of DAC would make an important contribution to the EU's policy on Green and Digital Railways. ERA explained how the work was carried out, the substance and the benefits of this proposal. ERA had held several workshops at which different list or items had been considered, including the importance of

transferring requirements and of making amendments without impacting the main substance of existing legislative texts in RID and the TSI/UTP. ERA reminded the meeting that in 2017, the RID-ATMF Working Group at the time had agreed on the principle that the high-level safety requirements should remain in RID, while the vehicle-related requirements should be reflected in the UTPs and TSIs.

7. The main elements of INF. 1 were as follows:
 - a. List of the main points that were considered for the transfer of vehicle-(wagon)-related requirements in the TSIs/UTPs.
 - b. Chapter 7.1 of RID: list of the high-level safety objectives dealing with construction requirements, equipment, newly added protection against explosive atmosphere based on the EU ATEX Directive, and derailment detection equipment. The rest of the proposed modifications to RID should be seen as a consequence of the changes in Chapter 7.1.
 - c. Harmonisation and common structure between road and rail modes, where column 14 used in road transport to specify the road vehicle equipment would also be used for the rail vehicle equipment specification.
 - d. Deletion of special provision TE16 and specific case for UK laid down in 6.8.2.1.29, which were no longer necessary.
 - e. Updated references to respective sections of TSI WAG/UTP WAG where the vehicle specifications were given.
 - f. New clause 4.2.6 and new Appendix I in TSI WAG/UTP WAG applicable to vehicles transporting dangerous goods: strength of vehicle body, energy absorption requirements, provisions relating to the overriding of buffers, and reference to derailment detection and mitigation provisions.
 - g. New provisions concerning ATEX in TSI WAG.
 - h. Table 1 in TSI WAG referring to how the essential requirements were covered.
 - i. New Clause 4.8. in TSI WAG to include compliance with vehicle equipment compliant with RID, to be included as a parameter to the ERATV.
8. With regard to forward planning and the timeline, ERA noted that it was important that the amendments to RID, the UTPs and TSIs be adopted by the respective committees in parallel or with the least possible delay, which, depending on the adoption procedures of each committee, could be envisaged for the 2025 or 2027 version of RID.
9. The OTIF Secretariat informed the meeting that it had been involved in developing the draft. It made the following semantic and editorial suggestions in relation to INF. 1.

With regard to the amendments to RID:

- a. Definition of UTP WAG in accordance with the ATMF UR and clarification of the cross-reference between the UTP WAG and TSI WAG
- b. Definition of Assessing Entity in accordance with the ATMF UR and clarification of the cross-reference to "Assessing Entity" under EU law.

With regard to the amendments to UTP WAG/TSI WAG:

- c. The UTP could not refer directly to the EU's ATEX Directive, as this EU Directive did not apply to non-EU Contracting States (page 19 of original INF. 1.) The Secretariat suggested that the UTP WAG could refer to the ATEX provisions as an example of best practice, but should also leave open the option for non-EU states to use their national technical requirements, which should then be notified. The application guide to the UTP WAG would include a link to the EU Directive.

10. NB-Rail proposed some clarification of the wording concerning the equivalence of “Assessing Entity” to reflect the role of the Notified Bodies (NoBos). The NoBos would focus on the TSI/UTP rules (Chapter 6), while the Designated Bodies (DeBos) assess compliance with national rules. The OTIF Secretariat clarified that COTIF made no clear distinction between entities assessing compliance with UTPs or assessing compliance with national requirements. BE supported the amendments proposed by the OTIF Secretariat. ERA proposed to check the involvement of notified bodies and assessment bodies and then decide on the most appropriate wording.
11. The Chair concluded that ERA would check the involvement of notified bodies and assessment bodies and make a proposal in coordination with the OTIF Secretariat.
12. CER raised several questions:
 - a. Would the proposed modifications have an impact on TSI LOC&PAS? In response, ERA confirmed that the proposed modifications did not concern TSI LOC&PAS. The proposal for TSI WAG referred to central couplers in a general way, which covered DAC, but also any other type of central coupler. When the DAC specifications were introduced, this would affect the TSI LOC&PAS.
 - b. Would INF.1 need to be updated once the DAC specifications were introduced. ERA responded that INF.1 would not be revised, as it already contained the general provisions for central couplers. This would mean that the RID and TSI Appendix I provisions would cover central couplers. The DAC specifications in RID and TSI would be dealt with separately when they were defined.
 - c. Would the use of protective shield for the wagon remain when DAC would be introduced. The Chair replied that there had been lengthy discussions on the requirements concerning the overriding of buffers and protective shields, and explained that these requirements would be explained in the DAC specifications. ERA added that if DAC achieved the RID safety objectives, there would be no need for the protective shield. However, this assertion was based current knowledge and experience would show whether extra protection would be necessary.
13. BE asked whether the text amendments to TSI WAG in INF. 1 were sufficiently clear in terms of conveying that there was a choice between four measures to ensure compliance with RID. It proposed to include a brief note saying that in order for a vehicle to comply with WE3, it would also need to comply with one of the four measures. ERA noted the suggestion.
14. In response to a question of procedure raised by NL, ERA replied that JCGE would submit its advice to the respective committees. Each committee would have the opportunity to review and use INF.1 to make the necessary amendments to the provisions of RID and the requirements of the TSI/UTP.
15. BE proposed to modify the wording of 7.1.1 to make it clearer.
16. With regard to 7.1.2.3 regarding wagon marking, BE proposed that the square brackets be removed.
17. UIP supported BE’s proposal, as it was of the view that this concerned a dangerous goods marking and it should not be affixed to wagons, but on tanks, near the TE special provisions (i.e. TE 25, WE2).
18. The Chair concluded that as there were no objects or further comments, the square brackets should be deleted.

19. The Chair concluded that there were no further remarks and that JCGE was satisfied with the substance of INF.1. The meeting acknowledged that the respective committees could still make editorial modifications to the texts proposed in INF.1. However, if one or more committees were of the view that substantive changes were necessary, the complete text proposal of INF. 1 would have to be reconsidered.
20. With regard to the timeline, the Chair suggested that JCGE's advice should be submitted to the respective committees as soon as possible, so that the latter could take their respective decisions. All the amendments would enter into force in either the 2025 or 2027 editions of RID.
21. The OTIF Secretariat reminded the meeting that in 2017, the RID-ATMF Working Group had already concluded that the provisions had to be in place in the TSI/UTP before they could be referenced in RID. This would also mean that the requirements could not be deleted from RID until the requirements had entered into force in the TSI/UTP. The OTIF Secretariat explained the possible planning for the revision of the UTPs and the provisions of RID:
 - a. When the TSI WAG was adopted in 2024, the Committee of Technical Experts (CTE) would start revising the UTP WAG. The Working Group Technology (WGTECH) could discuss the amendments in 2024 and would submit a proposal for decision by the CTE in June 2025. If adopted in June 2025, the UTP would enter into force in January 2026. This would be too late for RID 2025, but would be in time for RID 2027. To speed things up, the OTIF Secretariat suggested that as an exception, it could work in parallel to the procedure in the EU for modifying the TSI. In theory, this could result in a decision on the amendments to the UTP in June 2024, thus enabling entry into force in January 2025.
 - b. For modifications to RID, the standing working group in November would examine the draft proposal in INF.1 with the changes adopted by JCGE. All the proposed amendments to RID would be translated into German and French. The amendments to the TSI would be included in the RID text in English only, because the TSI text would be translated by the European Commission's translation service. However, it should be ensured that the translations into German and French did not differ from the German and French versions of RID. When the standing working group had checked the text, it would submit it to the RID Committee of Experts in May 2024. If the other committees had not yet adopted the TSIs and UTPs, the amendments would be placed in square brackets. If there were changes to the TSI, the RID Committee of Experts would review the text again, which would delay adoption to 2027.
22. The EC noted that the adoption of TSIs was subject to the EU's legal and comitology procedures, which included several steps, such as a recommendation submitted by ERA, a draft proposal prepared by the European Commission, inter-service consultation, discussion and adoption at the RISC Committee, translation, adoption by the College (Council) and publication in the Official Journal. In reply to a question raised by NB Rail, the EC confirmed that a public consultation would also have to take place.
23. The Chair concluded that it was vital to be aware of progress on the TSI revision before the feasibility of adoption for the 2025 edition of RID could be assessed. He proposed that on behalf of the JCGE Secretariat, the OTIF Secretariat would finalise INF. 1 as agreed at the meeting and submit it in the form of advice to the respective committees. The committees should not make any substantial changes. Changes relating to DAC specifications could be discussed at a later stage and as a separate topic.
24. Based on the discussions, the JCGE Secretariat, together with the Chair, proposed the following decision:

- a. At its 6th session, JCGE reviewed document INF.1 of 30 June 2023.
 - b. JCGE approved document INF. 1, with the modifications as agreed at the session.
 - c. JCGE requested the committees referred to in Art.1 (h) of the Rules or Procedure to implement the changes according to INF. 1.
 - d. JCGE was of the view that these committees could make the necessary semantic and editorial changes, but should refrain from any substantial changes, as these could affect the integrity and consistency of the proposals.
 - e. JCGE requested the committees to coordinate any changes with the JCGE Secretariat, so as to ensure consistent implementation in all the relevant rules (RID, TSI and UTP).
25. NB Rail asked if the European Commission could achieve the 2024 timeline. Secondly, it asked if a Change Request had already been submitted to ERA to initiate revision of the TSI WAG.
 26. ERA confirmed that as soon as JCGE approved INF.1, it would proceed according to its Rules of Procedure, i.e. it would take the steps necessary to develop the TSI Recommendation.
 27. CER and NB Rail requested that clear timeline dates be included in the Decision in order to ensure that the deliverables are achieved on time and as early as possible.
 28. The OTIF Secretariat explained that it was not possible to provide clear deadlines because each Committee had its internal process that had to be followed.
 29. The EC concurred with the OTIF Secretariat and confirmed that the timeline would depend on the RISC decision. With regard to amendments to the annexes of the TDG Directive, the EC confirmed that in principle, if the RID amendments were adopted by the RID Committee of Experts in May 2024, these would be endorsed in the Directive by the end of the same year. However, the EU decisions also involved a decision at Council level, whose timeline would also need to be complied with. This would mean that May 2024 would be a very ambitious target, which may not be feasible at all.
 30. The Chair concluded that the OTIF Secretariat would prepare the advice to be submitted to the committees. The progress of the work at each committee would be known by May 2024, when it would be clearer whether the timeline for adoption would be deferred to 2027. The advice, together with the report of the meeting, would also be shared with all delegates.

**Agenda item 4: Review of the list of priority items
(OTIF/RID/CE/JCGE/2022-A/Add.1)**

31. The Chair explained that the list of priority items included some items that had been discussed and other items that were still open questions.
32. UIP took the floor on the item dealing with extra-large tank-containers (1b OTHER inputs since 2017). It noted that since 2023, there a definition of and requirements for extra-large tank-containers had been established. A minimum wall thickness had also been defined for ADR and RID. This topic concerned combined transport and activities in hump-shunting yards. Cefic had indicated that it would like to see these wagons used in single wagon load traffic, with the ability to be freely shunted. UIP and Cefic had agreed to submit a proposal, but this had been a difficult exercise, as different requirements needed to be considered for individual wagons and for shunting wagons. The item also concerned risks resulting from the overriding of buffers. In relation to TSI, operational restrictions would have to be introduced pending the development of EN: 12663, which CEN had started to revise.

33. UIC reminded the meeting that shunting conditions had often been defined by the nature of the goods that were transported, e.g. livestock, high value goods or dangerous goods. It noted that the question with regard to marshalling yards and shunting activities concerned the use of all wagons, so the provisions should not be limited to dangerous goods wagons only. UIC and the OTIF Secretariat had worked previously on establishing such provisions.
34. With regard to 6.8.2.1.2 and 6.8.3.1.6 regarding energy absorption (TE22) and protection against the overriding of buffers (TE25), the Chair explained that this did not concern wagons used in combined transport, because these wagons were not shunted. The working group on tank and vehicle technology was therefore of the opinion that these topics were not relevant to combined transport. However, if extra-large tank-containers or modular containers were used, the same considerations with regard to protection against the overriding of buffers that applied to tank-wagons would also be relevant. Previously, Cefic had indicated that this should be combined with other operational rules, but the discussions had been put on hold until the DAC requirements were defined. In light of the introduction of DAC, it was decided that if DAC were installed, TE 25 would no longer apply. DAC could absorb sufficient energy for the safe transport of certain dangerous goods if the WE2 requirements were met. This subject would require further discussion. The Member States had not yet provided their views. The sector's view was that the focus should be on risk management.
35. With regard to the BASF study: Cefic had been invited to submit a paper describing its experience. The paper had already been submitted to the standing working group. This point of the report could be closed, but the point concerning protection had to remain open.
36. Item "OTHER inputs since 2017": the item concerning central coupling and harmonised energy absorption could be closed, as this was reflected in INF. 1.
37. Item 2a 7.1 (NOTE) could be closed. The newly adopted TSI WAG included the introduction of the following functional requirements: derailment prevention function (DPF), derailment detection function (DDF) and derailment detection and actuation function (DDAF) function.
38. Item 2a. on respective roles of the railway NoBo and the tank assessing experts and proper use of standards EN: 14025 and EN: 12663. This item is managed under 1b-6.8.2.1.2.
39. The revision of EN:12663 would need to be followed up, as it could have an impact on RID and the TSI with regard to the resistance of tanks. UIP could provide updates.
40. With regard to the item regarding the ATEX rules at EU level, which dealt with electrified freight wagons that have an ATEX classification and which had to be filled and discharged according to the ATEX Regulations, Cefic had raised this issue and would submit a proposal.
41. UIC noted that the management of explosion risks around vehicles with electrical devices installed on them had already been dealt with at ADR level. Rail freight wagons might therefore have similar requirements. The Chair confirmed that a paper on these requirements was being drafted.
42. NB Rail informed the meeting that at EU level, the ATEX Directive had been included in the list of directives to be considered in the vehicle authorisation process. It proposed that sector guidelines on ATEX requirements would be useful.
43. The Chair noted that there were guidelines for the chemical and oil industry, but not for actors responsible for filling and discharging at stations. Consideration might need to be given to developing guidelines for the latter.

44. Item 4b on operation and maintenance, actors and terminology. This item had been discussed on several occasions. ERA had submitted a proposal. The standing working group had not supported the proposal. The EC had decided to discuss this topic in an informal working group. There was no information on progress.
45. Item 4c on possible interaction between TSI TAF and RID. The EC informed the meeting that the TSIs on telematics applications were being revised; the TAF and TAP TSIs would be merged and provisions relating to the exchange of information concerning dangerous goods were to be included.
46. BE asked whether it would be necessary for the RID Committee of Experts or JCGE to discuss the TSI Telematics Applications if it included provisions relating to RID.
47. The EC confirmed that the TSI Telematics Applications focused on the exchange of information and not on the actual provisions of RID.
48. The Chair suggested that when the TSI recommendation was submitted to RISC, the OTIF Secretariat would share this document with the RID experts.
49. Item 4d on introducing the concept of the Entity in Charge of Maintenance (ECM) in RID was closed.
50. Item 4e on safety responsibilities would remain open, as this work also related to the work of JNS. It was noted that, so far, the JNS deliverable had not covered cases concerning the transport of dangerous goods. The EC confirmed that JNS had issued a recommendation on the Great Belt incident, which concerned the safety of loads and did not concern dangerous goods. DK had also introduced a national rule following the incident. ERA confirmed that JNS had published its final report, but there would still be a follow-up procedure on this topic. Items closed for discussion at the JCGE.
51. Item 5b on the working group set up by the RID/ADR/ADN Joint Meeting to identify interfaces with ERA tasks, specifically the topic of CSM ASLP. This item would remain open. ERA informed the meeting that the working group CSM-ASLP and the Joint Meeting's working group on the improvement of the Transport of Dangerous Goods (TDG) occurrence report had held a joint meeting in March 2023. It was agreed that the CSM ASLP did not need to be changed with regard to the aspect of dangerous goods transport. It was planned that the Joint Meeting's working group would discuss this issue further on 23-25 October. At EU level, the CSM ASLP document was at the European Commission in preparation for adoption. BE noted that it was likely that there would be amendments to RID and ADR.
52. Item 5C regarding national provisions (specifically safety rules) would remain as an open issue. UIC planned to launch a questionnaire to understand the state of play and identify barriers that hampered cross-border traffic. This initiative had been postponed until the EU had completed its work on cleaning up national rules. The EC had been reviewing the notified national rules only. It should finish the work by the end of 2023. ERA had published negative opinions on several safety rules. The Commission's understanding was that the purpose of the UIC questionnaire was to assess what potential national rules would be used by or imposed on the RUs by infrastructure managers. The focus was on the operation of trains and not on the authorisation of vehicles. The UIC questionnaire would also focus on dangerous goods. The EC had identified one national rule on dangerous goods. UIC's findings would therefore be complementary to the work on identifying national rules. In view of the timeline, UIC could already send out its questionnaire.
53. The EC informed the meeting separately that national rules on the transport of dangerous goods, including new classifications of substances and containers, had been communicated

to them for an opinion. The EC had observed that some of these rules or parallel systems had been put in place by Member States, but had not been notified to the EU, or to the OTIF Secretariat. This practice was not in accordance with existing legislation.

54. Other items in the lower priorities had already been dealt with in INF.1.
55. The Chair concluded that items for which no action had been reported should be deleted. An updated version of the list had to be submitted with the report.

Agenda item 5: Any other business

56. Ms Alice Polo, representing the EC, informed the meeting that she would be leaving the European Commission. She had been pleased to be part of the JCGE Secretariat and to participate in the meeting discussions. She noted the good progress made at JCGE on the alignment between RID and the TSIs.
57. The Chair thanked Ms Polo for her support and work in this area and wished her all the best for the future.

Agenda item 6: Next meeting

58. Delegates agreed to hold the next JCGE meeting in Bern in a hybrid format on 17 September 2024 from 10:00 to 17:00.
59. The Chair thanked all the delegates for their participation and contributions and closed the JCGE meeting.

Annex I

Joint Coordinating Group of Experts (JCGE)

6.09.2023

**Liste provisoire des participants
Vorläufige Teilnehmerliste
Provisional list of participants**

Dernière mise à jour :
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Last update:

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TDG Policy Officer
European Commission – DG-MOVE

ERA

M./Hr./Mr. Emmanuel **Ruffin**
in person

Project Officer, Safety Unit. TDG Coordinator
European Union Agency for Railways

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

Cefic

M./Hr./Mr. Jörg **Roth**
remote

Seniorreferent
Verband der chemischen Industrie e.V.
Bereich Umweltschutz, Anlagensicherheit,
Verkehr

CER

M./Hr./Mr. Gilles **Quesnel**
in person

Directeur Interopérabilité, Normalisation et
Recherche Europe (SNCF)
CER Speaker

NB Rail

M./Hr./Mr. Francis **Parmentier**
in person

General Manager
NB Rail Association

GCC

M./Hr./Mr. Ahmed **Bukhaddooy**
remote

International Relations
Ethihad Rail

UIC

M./Hr./Mr. Jean-Georges **Heintz**
remote

Expert, Mission Transports de Marchandises
Dangereuses / RID
UIC

M./Hr./Mr. Joost **Overdijkink**
Remote

Expert, Mission Transports de Marchandises
Dangereuses / RID
UIC

UIP

M./Hr./Mr. Rainer **Kogelheide**
in person

Selbständiger Berater des Verbandes
UIP

M./Hr./Mr. Philippe **Laluc**
remote

Adviser
ERMEWA INTERSERVICES

**IV. Secrétariat
Sekretariat
Secretariat**

M./Hr./Mr.	Jochen Conrad	Head of Section
M./Hr./Mr.	Bas Leermakers	Head of Section
M ^{me} ./Fr./Ms	Maria Price	Expert - Senior Officer
M./Hr./Mr.	Dragan Nešić	Expert - First Officer

**V. Interprètes
Dolmetscher
Interpreters**

M ^{me} ./Fr./Ms	Sarah de Senarclens
M ^{me} ./Fr./Ms	Rhona Amos