

# NSA Corridor Group Report 2020



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## **WELCOME**

The NSAs of the Rail Freight Corridor Rhine-Alpine (RFC RALP) and RFC Scandinavian-Mediterranean (ScanMed) are organised as “NSA Corridor Group” which deals with NSA related topics on both corridors. Besides an overall Steering Committee, there exist two main working groups concerned with ERTMS and vehicle authorisation issues. The following sections report about the activities of these working groups with regard to the implementation of the 4<sup>th</sup> Railway Package on RFC Rhine - Alpine in 2020.

## **NATIONAL SAFETY AUTHORITY WORKING GROUP (NSA WG)**

The NSA WG develops a common understanding of ERTMS technical issues such as errors, different interpretations and open points in order to achieve a common ERTMS standard on RFC Rhine-Alpine and Scandinavian-Mediterranean. In addition, the scope of the NSA WG covers operational issues on the rail freight corridors. Issues identified by the group which cannot be solved on corridor level or might have a broader impact are addressed to the ERA.

### **NSA WG focus topics in 2020**

#### **Continuous exchange of experience with ERTMS projects**

The Dutch ETCS project which coordinates the upgrade / retrofit of the Dutch freight locomotive fleet to ETCS Baseline 3 consulted the NSA WG because of best practices, national technical rules and derogation procedures, as well as the procedures and responsibilities according to the 4<sup>th</sup> Railway Package.

The Dutch ERTMS Project that is responsible for the ERTMS roll out in passenger rail traffic started participating in the exchange of experience in the NSA WG, also, with focus on the 4<sup>th</sup> Railway Package. The exchange between the projects and the NSA WG is ongoing. For 2021 the Danish Signalling programme might also participate in the NSA WG for exchanging experience and advice in terms of ERTMS trackside rollout according to the 4<sup>th</sup> Railway Package.

#### **Route knowledge**

After the Rastatt incident in 2017, railway undertakings operating on RFC RALP identified the route knowledge requirements as an obstacle in international traffic. This is especially the case in contingency situations when sections of the corridor are closed and railway undertakings are required to take deviation routes. However, route knowledge is essential to ensure safe operation, especially as long as there are lines still equipped with line side signalling. The NSA WG delivered a joint position paper on the issue, taking into account the

current rules and regulations concerning route knowledge in each of the Member States of RFC RALP and ScanMed.

### **National technical rules (NTRs) CCS**

The NSAs are continuously discussing the NTRs in the area of CCS that are relevant for vehicle authorisation in order to get a mutual understanding of these rules. Based on this work, bilateral discussions took place in 2020, starting with Germany, Austria and Switzerland to explore possibilities to harmonise rules that are similar in two or more countries and to share experiences on rules which are superfluous.

### **Cooperation NSA / ERA according to Art. 18 (6) of Interoperability Dir. (EU) 2016/797**

For ERTMS renewal or upgrades the Art. 18 (6) foresees the cooperation between NSA / ERA for checking the project documentation in order to decide if a new authorisation for placing into service (APIS) is required. In this field the NSA WG developed a common understanding on how this provision has to be applied during the authorisation and how this provision correlates with the transitional provisions of Art. 55 (5) and Art. 19 of Dir. (EU) 2016/797 (Harmonised implementation of ERTMS in the Union - ERTMS trackside approval of ERTMS equipment) and Chapter 7.2.1b ff. of TSI CCS Reg. (EU) 2016/919 (changes to an existing trackside subsystem - criteria for new authorisation for placing in service - APIS).

### **Harmonisation of driver machine interface (DMI) terminology**

A subgroup of NSA WG started working on harmonising DMI terminology. The goal is to achieve a specific terminology in one language (English) whereas the remaining part remains in the respective language of the member state.

### **Other topics addressed in the NSA WG**

Experiences and understandings of the new requirements in Art. 19 of Dir. (EU) 2016/797 (ERTMS trackside approval): this provision requires the ERA to check that the technical solutions envisaged are fully compliant with the relevant TSIs and are therefore fully interoperable before any call for tenders relating to ERTMS trackside equipment can start. The purpose is to ensure the harmonised implementation of ERTMS and interoperability at Union level.

This ERTMS trackside approval is a precondition for issuing an APIS for ERTMS trackside subsystem by the NSAs.

Furthermore, the NSA WG discussed how to handle the supervision of Interoperability Constituents (market surveillance) - a task that has not been harmonised up to now.

The focus of the NSA WG is to share experiences and to get a better understanding of how to manage these topics efficiently and satisfactorily for the purposes of the Interoperability Directive.

The discussions on these topics are still ongoing in the NSA WG - and with the ERA.

## **Objectives of the NSA WG for 2021**

According to the annual work plan of the NSA WG for 2021 the group will in particular focus on the following main objectives:

### **CCS TSI Revision 2022**

One of the main topics in 2021 will be the revision of the CCS TSI for 2022. Therefore, the NSA WG will address topics arising in the ERA working party on TSI CCS and in ERA`s associated topical working groups (TWG), such as TWG Transition & Migration or TWG train architecture.

### **Guidance for projects**

The NSA WG intends to continue guiding CCS vehicle projects with regard to derogation aspects concerning national technical rules for ERTMS and Class B systems. It will also continue to identify and share best practices with the sector with respect to CCS authorisation.

### **Cross-border interoperability issues**

The NSA WG will tackle issues hampering cross-border traffic related to ERTMS as well as operational problems identified on the corridor falling under the responsibility of the NSAs.

### **National technical rules (NTRs) related to CCS**

The NSAs will continue discussing the NTRs in the area of CCS that are relevant for vehicle authorisation. The purpose is to get a mutual understanding of these rules and -if possible- to promote their harmonisation.

## **TASK FORCE INTEROPERABILITY (TFI)**

### **Impact of 4th Railway Package on TFI**

The TFI is a working group aiming at facilitating the authorisation of vehicles in the networks of Austria, Germany, Italy, the Netherlands and Switzerland.

In June 2019 the 4<sup>th</sup> Railway Package entered into force: Italy and the Netherlands transposed the Interoperability Directive (EU) 2016/797 and the Railway Safety Directive (EU) 2016/798 of the technical pillar of the 4<sup>th</sup> Railway Package into national law on that date.

Germany transposed both Directives into its national legal framework in June 2020; Austria implemented in January 2021.

Switzerland, a non-EU Member State, revised its national railway legislation in June 2020 to be compliant with the principles of the 4<sup>th</sup> Railway Package, also.

Therefore, the ERA became the authorising entity for international vehicles in the Dutch, German, Italian, Swiss and Austrian networks, and hence gained an active role in the TFI.

Belgium intends to transpose 4<sup>th</sup> Railway Package into national law in 2021. After that date the ERA will also act as authorising entity for international vehicles in Belgium.

Up until June 2019, the five NSAs Austria, Germany, Italy, Netherland, Switzerland used cross-acceptance procedures on basis of the Memorandum of understanding 2007 (D-A-CH-I-NL) to facilitate first and additional authorisations of interoperable vehicles, in continuation of the activities of the previous years.

The 4<sup>th</sup> Railway Package brought some changes to the TFI. The authorisation process changed from “authorisation for placing into service” to the new concept “authorisation for placing on the market”.

The legal basis for the authorisation for placing vehicles on the market (requirements, process steps, responsibilities, timeframes, evidences) is provided by the Implementing Reg. (EU) 2018/545.

The One-Stop-Shop (OSS), an IT tool governed by the ERA shall be used as instrument to file, manage and proceed all applications.

Furthermore, all authorisations for international vehicles are now issued by ERA as authorising entity in cooperation with the NSAs which remain responsible for assessing the notified national technical rules.

For that purpose, the NSAs mentioned above signed formal cooperation agreements with ERA on basis of Article 76 of ERA Reg. (EU) 2016/796.

To reflect ERA’s new role as authorising entity the TFI modified its composition and now includes experts from ERA and NSAs as well as Infrastructure Managers of the member states mentioned above which all provide their specific experiences in vehicles, the authorisation process and the interfaces between vehicles and infrastructure to the group. Thereby, the cooperation between ERA and the NSAs will be strengthened.

Beyond that, the TFI also invites representatives of vehicle manufacturers to the meetings to discuss and solve concrete issues occurring in the authorisation of vehicle projects on the corridor.

The TFI provides an excellent platform for applicants to clarify general items with regard to the process of placing vehicles on the market and with regard to the operation of authorised vehicles in the corridor countries.

As authorising entity the ERA now has an active role in the TFI and exchanges documents and information with the NSAs and other participants of the meetings.

## **TFI focus topics in 2020 (tasks ongoing)**

### **Harmonising the content of ERA TV and the content of authorisations especially with regard to restrictions and conditions of use**

- Including waiving restrictions from former authorisations (see clarification note from ERA 1209-70, dated 08.04.2020),
- Depending on national legislation and formulations in the authorisations there are differences between the member states,
- There exists a huge variety of how ERATV types have been entered in ERATV, so far. Furthermore, several NSAs revealed a need for clarification / improvement concerning the use of ERATV.

### **Notification according Article 16 (4) of Reg. (EU) 2018/545**

In a huge number of cases in which the entity managing the change is not the holder of the vehicle type authorisation the changes will be notified to the authorising entity.

### **Authorisation of a vehicle after small changes, according to Article 15 (1),(b) of Reg. (EU) 2018/545**

This authorisation case is relevant if new vehicles have to be authorised after small changes to the vehicle type.

### **Short cross border vehicle authorisation**

This task is ongoing between NSAs / member states, currently on basis of existing infrastructure manager agreements.

### **TSI non application / derogation**

This topic becomes relevant if an applicant requests for a non-application of or a derogation from TSIs, e.g. by using the transition phases regulated in the TSIs (non- application).

### **Continuous application of existing cross acceptance agreements for network-wide authorisation projects as long as Art. 14 (10) of Dir. (EU) 2016/797 has not yet been implemented**

## **Authorisation process for additional area of use and / or change including entry into ERATV for vehicles that were authorised before the 4th Railway Package**

See also clarification note from ERA 1209-100, dated 19.01.2021.

### **Reference Document Database (RDD)**

- Cleaning up of notified national technical rules (NNTRs) in RDD is ongoing,
- Open: technical opinions from ERA on the NNTRs submitted by the member states,
- RDD will be maintained until new single rules database (SRD) is fully paced in service,
- Current state of NNTRs is published at the NSAs` websites.

### **Joint tasks / issues from TFI and NSA Working Group RFC RALP and ScanMed: 4th Railway package issues regarding (ERTMS-) vehicle authorisation**

- Permanent dialogue between CCS experts from infrastructure managers and NSAs` experts in the NSA WG,
- ERA, TFI and NSA WG are ready for processing real CCS vehicle projects.

### **MISCELLANEOUS: CONTRIBUTION TO ERA ERTMS WORKING GROUPS**

Since the NSAs of RFC RALP also participate in the ERTMS working groups organised by ERA, the NSAs coordinate their views in order to achieve - if possible and appropriate - a common corridor position in the respective working groups. Furthermore, ERTMS issues occurring on RFC RALP can be addressed to the ERA, which is the system authority for ERTMS and an authorising entity in all corridor countries.