

Guidance for
Vehicle Authorization

Vehicle authorisation Q&A

Budapest, 04 June 2019

How 4th RP will affect homologation process of rail freight wagons? Whose responsibility will be the homologation process of freight wagons: ERA's or NSA's?

Wagons compliant to 7.1.2 of WAG TSI 321/2013 :

- **Area of Use covering more than 1 MS**
- Authorising entity is **the Agency**
- Authorisation issued by ERA treated as APIS (2008/57) by MS(s) that will transpose the Directive on June 2020 without additional authorisation



WAG : slide 35

VA process related non EU members how will be handled within the 4th RP and OSS?

- Vehicles from 3rd countries are covered by a different regime (Directive (EU) 2016/797 - art 21(16) and 21(17))
- VA process (Art 21) doesn't apply to WAG and Pass coaches which are in shared use with 3rd countries, the track gauge of which is different from 1435mm and authorised in accordance with a different authorisation procedure.
- Rules of authorisation procedure are to be notified to the European Commission
- Conformity of vehicles with ERs are ensured by the RUs



VA from 3rd countries: slide 79

VA process related non EU members how will be handled within the 4th RP and OSS?

- **Article 21.17 of directive (EU) 2016/797 :**
 - A MS may decide not to apply art 21 to Locos or self-propelling trains arriving from 3rd countries and intended to run until a station that is situated close to the border in its territory and designated for crossborder operations.
 - The conformity of such vehicles with the ERs shall be ensured by the RU.



VA from 3rd countries: slide 79

How will be applied Cross-Acceptance agreements within the 4th RP?

- No Cross-Acceptance agreements btw MSs will be needed because :
- Agency will classify NRs following :
 - Implementing Act on classification,
 - NRs notified in acc to art 13 and 14 of IOD,
 - Detailed planning for classification,
 - Any classification proposed by MSs or any existing valid classification.



Classification of NRs : slide 51

How will be applied Cross-Acceptance agreements within the 4th RP?

- NRs will be classified:
 - Rules database : RDD pending SRD,
 - In groups : Equivalent (former A), Not yet classified or not equivalent (former B) & Not equivalent (former C)
- NSAs of an area of use, for the purpose of assessment, will exchange “Statement of evaluation” for NRs that are mutually recognised as **“equivalent”**



Classification of NRs : slide 51

How to deal with the existing non-TSI vehicles for a range extension after 4th RP?

- New sections 7.6.1 of WAG TSI and 7.5.2.3 of Loc&Pas TSI (voted in Jan 2019)

Extension of Area of Use (7.5.2.3)



OR



Ext of Area of Use : slides 29-30

How to deal with the existing non-TSI vehicles for a range extension after 4th RP?

- New proposal will be discussed in Experts group meeting 20 June 2019.
- New section 7.1.5 limiting the check to:
 - Technical compatibility,
 - NRs “cleaned” (art 13 of directive 2016/797) :
 - Open Points,
 - Specific Cases not described in TSIs and
 - Technical Compatibility with existing network)



Ext of Area of Use : slides 29-30

Modification of the UIC leaflet numbering system will affect XA agreements and RDD?

- Should be already covered by the Cleaning up of NRs,
- Following cleaning up of NRs, MSs publish in RDD cleaned NRs in additions to TSIs that are related to:
 - Art 13.2.a : where the TSIs do not cover, or do not fully cover, certain aspects corresponding to the ERs, including **open points**
 - Art 13.2.c : Specific cases not described in TSIs,
 - Art 13.2.d: **Technical compatibility with existing network**
- Agency will classify the NRs “cleaned”



National rules : slides 47-50

What is the position of ERA concerning the registration of vehicles purchased abroad? Which NSA should these vehicles register?

- A vehicle purchased abroad should be authorised in EU by an authorising entity:
 - When the Area of use is limited to one MS: registration in the NVR of that MS.
 - When the area of use of covers more than one MS: the keeper decides in which MS the vehicle is registered, the registration is done in **one** NVR.
 - When the area of use of the vehicle is extended : vehicle is registered only in the NVR of the MS where the vehicle was authorised.



NVR : slides 69-70

What is the position of ERA concerning the registration of vehicles purchased abroad? Which NSA should these vehicles register?

- For vehicle registered in a NVR connected to ECVVR of a non-EU OTIF Contracting State: see further details in Annex 3.2.5 of NVR decision.



NVR : slides 69-70

Can RUs monitor the data of their vehicles in national vehicle registers?

- NVR is not a tool to manage Vehicle Type configuration
- **Regarding vehicle type authorisation :**
 - ‘Holder of the vehicle type authorisation’ is responsible for the Vehicle Type configuration to ensure that the Type will always meets the ERs after authorisation.



Vehicle holder : slides 32-33

Can RUs monitor the data of their vehicles in national vehicle registers?

- **Regarding Vehicle registration :**
 - Vehicle registration is not part of VA,
 - Vehicle keeper request vehicle registration
 - Registration Entity (MS) :
 - Keep and maintain the Vehicle Registers,
 - Grant EVN ,
 - Register vehicles in the Vehicle Register after request,
 - Update the data (including withdrawals) of the vehicles registered after notification of the vehicle keeper



NVR : slides 69-70

- **What will be the effect of the introduction of OSS? Will it influence the proceeding time?**
- No effect, timeframe for the assessment of the application is defined in Art 34 of regulation (EU) 2018/545
 - Completeness : 1 month
 - Final decision : 4 months



In VA processes will be possible test operations in service? If yes, what are the conditions?

Applicant defines and demonstrates:

- Area of use** (e.g France, Belgium)
- Vehicle Technical compatibility with the Network(s) of the area of use** (e.g 3kV, 25kV, KVB, TBL1+, D4 etc.)
- Conditions for use and other restrictions** (e.g max speed 140km/h)

Railway Undertaking checks using its SMS process :

- Vehicle(s) is authorised and Registered
- Compatibility between Vehicle(s) and indented Route(s)
- Proper integration in the train composition

Vehicle authorisation for placing on the Market (art 21)



Checks before use : slides 72-76

Checks before the use of authorised vehicles (art 23)



Will there be more technical data in the vehicle register (e.g. type defining data)?

- NO, technical data defining a Vehicle type are in ERATV (part 4)
- Content of Vehicle Register is defined in accordance with NVR Decision 2007/756/EC as amended by Decision (EU) 2018/1614



ERATV : Slides 63-64 & NVR : slides 69-70

Can vehicles with TEN sign operate in another MS without any restriction (on the condition that they satisfy the related national rules)?

- Question to be clarified



What will be the division of labor in the vehicle authorization between ERA and NSAs?

- ERA acting as authorizing entity :
 - Contact point of the Applicant,
 - Coordinate the activities,
 - Compile NSAs Assessments
 - Deliver its decision (authorisation or not)
- NSAs of the Area of Use :
 - Perform assessments (art 21(5)(b) IOD)
 - Provide assessment file to ERA
 - Issues temporary authorisations for test, when required



If a railway vehicle runs only in one Ms it shouldn't comply with the TSI?

- Vehicle in the scope of RST TSIs are Locos, Pass coaches, Trainset, WAG and OTM
- Application of RST TSIs is:
 - Mandatory for Locos, Pass coaches, Trainset and WAG
 - Voluntary for OTM
- Application of TSIs apply independently of the Area of use : one MS or several MSs.



If ERA will authorise a vehicle whom to keep in touch with: directly with ERA or through the NSA?

- Contact point of the Applicant is ERA



Will ERA supervise/audit directly RUs/IMs as well?

- Question not related to Vehicle authorisation.
- The supervision is a responsibility of the NSAs



Thank you for your attention!

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