20 January 2022

Issues Log Book & National Rules

RU dialogue

What is Issues Log Book?

- ILB is a list of 15 items that hinder cross-border traffic

- All latest information are available on DG MOVE's website:

  https://ec.europa.eu/transport/modes/rail/interoperability/interoperability/ope-tsi_en

- Solutions to most of the items are now available. It is now time to **implement them** in a collaborative way along corridors and at EU level.

➔ Pilot projects are highly recommended and supported by COM, also via CEF2 call

➔ A specific call for Brenner issues was launched by DG MOVE on 14 January 2022

No	Issue Title	Prio	Main tasks
1	Braking sheets	1	- Administrative support
2	Braking performance	1	- Technical assistance on demand - Progress monitoring **Priority 1**
3	~~Tail lights vs. plates~~	~~3~~	~~Study on the results of MSs analysis on the use of reflective plates~~
4	Train composition - Harmonisation of wagon list	2	Progress monitoring (together with Issue 15) **Priority 3**
5	Train Composition - Working handbrake last wagon	2	- Base analysis of the situation (e.g. what problems are caused by the issue, where does the problem occur, national rules on the RFCs, safety aspects);
6	Train Composition - No push 6 axles wagons	2	- Assessment of impacts; - Proposal of solutions, incl. identification of solutions already implemented in other countries.
7	~~Train Composition - Buffer wagons~~	~~2~~	~~- Analysis on national rules for buffer wagons in other European countries;~~ ~~- Elaborate specific TOs together with ERA.~~
8	Technical checks at border stations	2	Progress monitoring
9	Mandatory checks in MSs	2	Progress monitoring **Priority 2**
10	Operational implementation of the traffic in ERTMS	-	➔ Out of scope as in ERTMS field
11	New train number	-	- Base analysis of the situation (e.g. what problems are caused by the issue, where does the problem occur, national rules on the RFCs, safety aspects);
13	2 people cabin crew	-	- Assessment of impacts; - Proposal of solutions, incl. identification of solutions already implemented in other countries.
12	Exception from operational rules	-	➔ Covered by the Contingency Management Plan
14	Equipment of border stations with commutable electric power supply	-	- Base analysis of the situation (e.g. what problems are caused by the issue, where does the problem occur) by analysis of infrastructure data (e.g. TENtec, Network Statements) and reports (e.g. TEN-T and RFC studies) - Assessment of impacts.
15	Real time communication and harmonisation of train composition message (wagon list)	2	Progress monitoring (together with Issue 4) **Priority 3**

Expected outputs of ILB activities

- **Agreements on new working procedures**

- **Sector best practice**

- **Review and cleaning-up of problematic national rules not in compliance with 4 Railway Package**

- If relevant, inputs to:

  - European standardisation (EN standards) or

  - European legislation (TSIs, CSMs or others)

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4th Railway Package and National Rules

- **Art. 8 of Railway Safety Directive** (EU) 2016/798 requires Member States to **review national rules** in the field of safety and repeal the one no longer in compliance with 4RWP by 16 June 2018.

- **National rules can continue to apply if:**

  - They belong to a category defined in Annex II of Railway Safety Directive

  - They are not already covered by TSIs or CSMs

  - New **TSI OPE 2019/773 Appendix I** lists areas where national rules can continue to apply. Rules outside this areas can no longer apply.

  ➔ Ex. Train composition is not an area where national rules can continue to apply

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Process of Art. 25 and 26 of ERA Regulation

- **It defines the process for ERA to review national rules – Existing and new draft**

- **If ERA identifies rules not in compliance with 4RWP, TSIs or CSM, then shall issue a Negative Opinion against the Member State and inform the COM**

- **COM may adopt Implementing Acts requesting Member States to remove of modified national rules.**

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4RWP impact

- **The 4RWP is now transposed and applies to all EU rail network**

- **The objective of the Single European Rail Area is to make cross-border traffic as easy as traffic which remains in a single Member State.**

- **ERA website to flag non-compliant national rules: https://www.era.europa.eu/can-we-help-you/contact-us-0_en#NationalRules**

- **Please notify all difficulties to ERA and COM**

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Cleaning up of national rules: where we are?

MS	Excel file	First check	Review	MS bilateral	SRD updated
AT	Yes	Yes	Yes	First bilateral done – need for a further bilateral	
BE	Yes	Yes	Yes	Yes – awaiting final Excel sheet for SRD	
BG	Yes	Yes	Yes	Yes – awaiting final Excel sheet for SRD	
CZ	Yes	No			
DK	No			Not needed all NRs removed. All information available on BaneDenmark Website in DK and EN	
DE	Yes	Yes	Yes	No – bilateral to be arranged	
EE	Yes	Yes	Yes	Excel file to be sent to MS	
EL	Yes	Yes	Yes	Excel file to be sent to MS	
ES	Yes			*MS also currently reviewing their NRs*	
FI	Yes	Yes	Yes	Yes – awaiting final Excel sheet for SRD	
FR	Yes	No			
IE	Yes	Yes	No		
IT	Yes	Yes	Yes	Several bilaterals – finalising the Excel file	
HR	Yes	No			
HU	Yes	No			
LT	Yes	Yes	Yes	After the bilateral on 09/07/2021, the MS is to come back with feedback	
LU	Yes	No			
LV	Yes	Yes	No		
NL	Yes	Yes	Yes	Bilateral arranged 27/10/21	
PL	Yes	No			
PT	Yes	Yes	Yes	Excel file to be sent to MS	
RO	Yes	Yes	Yes	No – bilateral to be arranged	
SE	Yes	Yes	Yes	Revised rules now in SRD	Yes
SK	Yes	Yes	Yes	First bilateral done – need for a further bilateral	
SI	Yes	Yes	Yes	Excel file to be sent to MS	

- TSI OPE 2019 requires the Agency to develop acceptable means of compliance (AMOCs) on:
  1. Checks and tests (including train braking)
  2. Safety of loads
  3. Safety of passengers
  4. Train departure
  5. Degraded operation

- AMOCs are voluntary guidelines which provide a presumption of conformity for meeting TSI requirements that cover these areas

- The Agency developed within the OPE Working Party framework AMOCs on topics 1, 2 and 3. An ERA opinon was issued in December 2021.

- No AMOCs on point 4 and 5 are necessary as they are alredy sufficiently covered by TSI OPE and national signalling systems cannot be harmonized further at the current stage.

- These 3 topics represent most of the concerns raised by Rail Freight Corridors through the Issue Log Book (Braking – Priority 1, Train composition, tests & checks – Priority 2)

- AMOC should also support Member State in removal of national rules in those areas.
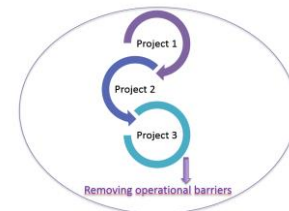
5 awarded projects under CEF:

1. **Unified Braking Scheme action** (coordinated by **DB Cargo AG**) – Solving priority 1 of the Log Book issue and implementing the Unified Braking Scheme (UBS) as a pilot project along the Rhine-Alpine Corridor with the aim of transferring knowledge gained across the TEN-T rail network. Implementing period 1.2020 to 6.2022 – Priority 1

2. **Translation tool, pilot Forbach – Saarbrücken** (coordinated by **SNCF Reseau**) Implementing period 10.2020 to 09.2022

3. **TRUST5** – Digital Automatic Coupling (coordinated by **Fret SNCF**) Implementing period 04.2021 to 03.2022

4. & 5.: **Digital Train 1.0 & 2.0** (Enhanced real-time communication about train composition and estimated time of arrival) (coordinated by **RNE**). Implementing period 01.2020 to 12.2021 & 12.2020 ti 11.2022 – Priority 3

THANK YOU
for your attention

Any question? Please contact
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