

Moving Europe towards a sustainable and
safe railway system without frontiers.

RECOMMENDATION ERA1218-2 OF THE EUROPEAN UNION AGENCY FOR RAILWAYS

on

*the amendment of Commission Implementing Regulation (EU)
2023/1695 (CCS TSI)*

THE EXECUTIVE DIRECTOR

HAVING REGARD TO Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004, hereafter referred to as the ‘Agency Regulation’, in particular Articles 2, 4 and 5 (1) thereof,]

HAVING REGARD TO Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system (Recast), hereafter referred to as the ‘Interoperability Directive’, in particular Article 5 (2) thereof,

HAVING REGARD TO Commission Delegated Decision (EU) 2017/1474 of 8 June 2017 supplementing Directive (EU) 2016/797 of the European Parliament and of the Council with regard to specific objectives for the drafting, adoption and review of technical specifications for interoperability, hereafter referred to as the ‘Commission Mandate’,

Whereas

1. In January 2020, the European Commission published the list of priority topics that the European Union Agency for Railways (“Agency”) should cover for the TSI package 2022 which falls within the EU policy objectives of (1) a European Green Deal, (2) an economy that works for people, (3) a Europe fit for the digital age and (4) a stronger Europe in the world. Titled ‘Digital Rail and Green Freight’, this package includes a series of topics impacting the structural TSIs: CCS, ENE, INF, LOC&PAS, NOI, PRM, WAG and the OPE TSI.
2. On the 30th of June 2022, the Agency made recommendation ERA 1175-1218 to the Commission proposing the adoption of the TSI revision package 2022 – Digital Rail and Green Freight. However, the technical documents referenced in Appendix A to the CCS TSI were fully available at the time of submission of the recommendation.
3. The CCS TSI as part of TSI revision package 2022 was officially adopted on the 10th of August 2023, with the condition that the missing technical documents from Appendix A would be completed and submitted in a complementary recommendation by 2024.
4. To address the missing topics, the Agency set up Working Parties and Working Groups and put in place a general change control management process. This recommendation is the outcome of the discussions held during the meetings of these groups.
5. During the discussion on the missing technical documents, feedback from operational experience was provided to the Agency on some of the new elements introduced in the last revision of the CCS TSI, and it was decided to incorporate those clarifications and corrections helping to improve the implementation of the Regulation.
6. The European Commission requested a formal submission of all technical documents in Appendix A, Table A.2, which were not included in the previous recommendation. These documents are now provided in Annex 3 as links to the ERA website for the not modified documents and as attachment to the recommendation for the new technical documents, except index 38 and 101 as explained in the accompanying report Annex 2.

HAS ADOPTED the following recommendation:

The Agency recommends that the Commission adopt the following amendments of Commission Implementing Regulation (EU) 2023/1695 of 10 August 2023 on the technical specification for interoperability relating to the Control-Command and Signalling subsystems of the rail system in the European Union and repealing Regulation (EU) 2016/919 (CCS TSI):

1. The enacting part of the CCS TSI should be amended as follows:
 - a. Article 2.1 is amended as follows:

The sentence *'Point 7.2.2 of Annex I to this Regulation shall apply to all changes to an existing on-board CCS subsystem.'* shall be deleted.
 - b. Article 2.2 is amended as follows:

'The TSI shall not apply to existing trackside CCS and on-board CCS subsystems of the rail system already placed on the market or in service on all or part of any Member State's railway network by 28 September 2023, except when.

 - b. *the subsystem is subject to renewal or upgrading in accordance with Chapter 7 of Annex I to this Regulation;*
 - c. *the area of use of a vehicle is extended in accordance with Article 54(3) of Directive (EU) 2016/797, in which case point 7.4.2.3 of the Annex I to this Regulation shall apply;*
 - d. *the subsystem is subject to the specification maintenance requirements set out in point 7.2.10 of Annex I to this Regulation.'*
 - c. Article 2.3 is deleted.
 - d. Article 2.4 is renumbered as Article 2.3.
 - e. Article 14 is amended as follows:
 - Paragraph 1: *'Regulation (EU) 2016/919 is repealed, except for its chapters/tables/documents which are not repealed and continue to apply to subsystems and interoperability constituents to the extent and for as long as a transition regime is provided for these chapters/tables/documents in accordance with chapter 7 of Annex I.'*;
 - Paragraph 2: *'It shall however continue to apply for the cases which do not fall under the scope of this Regulation pursuant to Article 2.'*;
 - Paragraph 3 is deleted.
 - In paragraph 4, the text *'point 6.1.2.4'* is replaced by *'points 6.1.2.4 and 6.1.2.5'*.
 - f. Given that no specific new competence is required for the assessment of conformity of interoperability constituents or the verification of subsystems, the Agency recommends adding in the enacting part of the revised TSI a statement that *notified bodies notified for Commission Regulation (EU) 2016/919 and Commission Implementing Regulation (EU) 2023/1695 remain notified also for the current revision.*
2. ANNEXES I and II to the Commission Implementing Regulation (EU) 2023/1695 should be amended as set out in Annex 1 to this recommendation.

3. The list and links to the technical documents for CCS TSI Regulation (EU) 2023/1695 Annex I - Appendix A can be found in Annex 3 of this recommendation.

This recommendation is addressed to the European Commission.

Valenciennes, 19/December/2024

Josef DOPPELBAUER
Executive Director

Annexes (sent via ARES with this recommendation):

Annex 1 - Amendment to the CCS_TSI Annexes I and II.

Annex 2 - Accompanying report to REC ERA1218-2.

Annex 3 – List of technical documents for Appendix A.

Annex 4 - Economic Evaluation Impact Assessment note to REC ERA1218-2.