EUROPEAN UNION AGENCY FOR RAILWAYS

Moving Europe towards a sustainable and safe railway system without frontiers

Exclusion according to CCS TSI 7.4.3.2 and 7.4.3.3

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Document History

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1.0	02/06/2026	First version for publication including France
1.1	15/06/2026	Data from Austria. Reformatting of the tables to allow comments
1.2	18/06/2026	Data from Spain. Additional data from France for the legal basis
1.2.1	26/06/2026	Correction for Spanish data
1.3	28/09/2026	Data from Germany. Editorial review and format adjustments
1.4	26/11/2026	Data from Hungary

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1. Introduction

This is a technical document prepared by the European Union Agency for Railways which lists the Member States who have decided to apply the provisions 7.4.3.2 and/or 7.4.3.3 of Commission Implementing Regulation (EU) 2023/1695

2. Abbreviations, Acronyms and References

2.1. References

[1] – Commission Implementing Regulation (EU) 2026/693 of 19 March 2026 amending Implementing Regulation (EU) 2023/1695 as regards new testing specifications, a set of reduced specifications and transitional measures

3. Use of this document

Member States may decide, following the provisions 7.4.3.2 and 7.4.3.3 of [1] to exclude special vehicles from the obligation to equip them with ETCS, RMR or ATO on a specific area of use if the operation of these vehicles does not prevent the Class B decommissioning or passenger trains reserved to a strictly local use or shunters as defined in Commission Regulation (EU) 1302/2014 that operate exclusively on a part of the national network where no ETCS exists and until it is equipped.

The Agency in coordination with the National Safety Authorities, has decided to collect these exclusions and make them available in this technical document to facilitate the consultation of these exclusions until RINF is prepared to support this notification.

4. Content of the document

The table contains information about the decision of different Member States to apply the above-mentioned provisions. Crosses ‘X’ represent a notified exclusion. Blanks define no notified exclusion from the Member State. The table only reflects received notifications, Member States not listed shall be considered as not applying the provisions of 7.4.3.2 and/or 7.4.3.3 of [1].

Table 4.1

Member State	7.4.3.2 (Special vehicles) Exclusions			Legal Basis	Comments
	ETCS	RMR	ATO		
Austria	X	X	X		Applicable following a positive individual assessment by the NSA Austria.
France	X			Arrêté du 9 décembre 2021 fixant les objectifs, les méthodes, les indicateurs de sécurité et la réglementation technique de sécurité et d'interopérabilité applicables sur le système ferroviaire	Special vehicles may have to be ETCS-prefitted according to Article 41.
Germany	X		X	Ausrüstungsverpflichtung mit ETCS oder ATO für Sonderfahrzeuge: Klarstellung und Ausnahmeregelungen	
Hungary	X	X	X		The infrastructure manager shall regulate the operating conditions of vehicles covered by the exclusion on ETCS-equipped lines in an instruction (utasítás). Operation in mixed traffic with scheduled services shall only be permitted under the conditions defined therein.
Spain	X	X	X	BOE-A-2026-11627	

Table 4.2

Member State	7.4.3.3 ETCS exclusion		Legal Basis	Comments
	Local Passenger trains in accordance with Article 1.4 b) of Directive (EU) 2016/797	Local Shunters where no ETCS is installed in the Line		
Austria				
France	X	X	Arrêté du 9 décembre 2021 fixant les objectifs, les méthodes, les indicateurs de sécurité et la réglementation technique de sécurité et d'interopérabilité applicables sur le système ferroviaire	
Germany				
Hungary	X	X		The exclusion applies only on lines or line sections not equipped with ETCS. The operating rules at the interfaces between ETCS-equipped and non-equipped parts of the network shall be defined by the infrastructure manager in an execution instruction (végrehajtási utasítás). The conditions for exceptional operation on ETCS-equipped infrastructure shall be regulated by the infrastructure manager in an instruction (utasítás).
Spain		X	BOE-A-2026-11627	