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OPINION

OPI-2019-8

OF THE EUROPEAN UNION AGENCY FOR RAILWAYS

for

France

regarding

Negative assessment of National Rules or Acceptable National Means of Compliance of France in addition to the latest TSIs in force for the Rolling Stock and on-board CCS subsystems notified in the Reference Document Database by Member States according to Articles 25 and 26 of the Agency Regulation

Disclaimer:

The present document is a non-legally binding opinion of the European Union Agency for Railways. It does not represent the view of other EU institutions and bodies, and is without prejudice to the decision-making processes foreseen by the applicable EU legislation. Furthermore, a binding interpretation of EU law is the sole competence of the Court of Justice of the European Union.

1. General Context

- 1.1 The scope extension of TSIs (with effect on 01 January 2015), the functional and technical harmonisation of requirements within TSIs made a series of national rules redundant and unnecessary.
- 1.2 The articles 13 and 14 of Directive(EU) 2016/797 indicate clearly cases where national rules may continue to apply:
- New national rules may only be adopted in of the following cases (article 14(4)), :
 - o when a TSI does not fully meet the essential requirements;
 - o as an urgent preventive measure, in particular following an accident.
 - Existing national rules (article 13(2)) are limited to :
 - o where the TSIs do not cover, or do not fully cover, certain aspects corresponding to the essential requirements, including **open points** as referred to in Article 4(6)Case where non-application of one or more TSIs or parts of them has been notified under article 7 of Directive(EU) 2016/797,
 - o Specific cases listed but not described in TSIs,
 - o Ensure technical compatibility with existing network not yet in compliance with TSI,
 - o Vehicles excluded from the scope of TSIs,
 - o Urgent temporary preventive measure, in particular following an accident.
- 1.3 According to article 14 of Directive(EU) 2016/797, Member States had to notify existing national rules before 16 December 2016. When notifying, Members States have to provide justification for the existence of national rules (e.g. identification of the related open-point).
- 1.4 Member States shall notify their national rules for vehicle authorisation. According to the communication of the Commission in RISC, until the Single Rules Database is available, the notification is performed in the Reference Document Database (RDD).
- 1.5 Since 2016, in accordance to the ERA programme plan on cleaning-up of national rules ERA-PRG-006-PPL, Member States and the Agency started the activity on identification and evaluation of national rules in addition to the following TSIs:
- TSI WAG: Commission Regulation (EU) No 321/2013, amended by Regulation (EU) No 1236/2013,
 - TSI LOC&PAS: Commission Regulation (EU) No 1302/2014,
 - TSI PRM: Commission Regulation (EU) No 1300/2014,
 - TSI Noise: Commission Regulation (EU) No 1304/2014,
 - TSI CCS: Commission Regulation (EU) No 2016/919 (including ERA/ERTMS/033281 rev 3.0 dated 04/12/2015).
- 1.6 From 16 June 2019 and pending the Single Rules Database, the Reference Document Database will be the reference for applicants, NSAs and the Agency in terms of applicable national rules for vehicle authorisation.
- 1.7 The scope of the technical opinion covers the examination of national rules (existing or draft) leading to a negative assessment by the Agency.
- 1.8 The complete assessment covering the examination of all national rules (existing or draft) in addition to TSIs mentioned in section 1.5 is available in the Evaluation Report of remaining national rules ERA-PRG-006-REP-RST.

2. Legal Background

2.1 According to the provisions of article 13.2 of Directive (EU) 2016/797, national rules and where relevant acceptable national means of compliance shall apply in the cases defined below :

- a) where the TSIs do not cover, or do not fully cover, certain aspects corresponding to the essential requirements, including open points ;
- b) where non-application of one or more TSIs or parts of them;
- c) where a specific case requires the application of technical rules not included in the relevant TSI;
- d) national rules used to specify existing systems, limited to the aim of assessing technical compatibility of the vehicle with the network;
- e) networks and vehicles not covered by TSIs;
- f) as an urgent temporary preventive measure, in particular following an accident.

2.2 According to the provisions of article 14 (9) of Directive (EU) 2016/797, draft national rules and national rules referred to in paragraph 1 shall be examined by the Agency in accordance with the procedures laid down in Articles 25 and 26 of Regulation (EU) 2016/796.

2.3 According to the provisions of Article 25 (3) of the Agency Regulation 2016/796, where the examination referred to in paragraph 1 leads to a negative assessment, the Agency shall inform the Member State concerned and ask it to state its position regarding that assessment. If, following that exchange of views with the Member State concerned, the Agency maintains its negative assessment, the Agency shall within a maximum period of 1 month:

(a) issue an opinion addressed to the Member State concerned, stating the reasons why the national rule or rules in question should not enter into force and/or be applied; and

(b) inform the Commission of its negative assessment, stating the reasons why the national rule or rules in question should not enter into force and/or be applied.

This shall not prejudice the right of a Member State to adopt a new national rule in accordance with point (c) of Article 8(3) of Directive (EU) 2016/798 or with point (b) of Article 14(4) of Directive (EU) 2016/797

2.4 According to the provisions of Article 26 (3) of the Agency Regulation 2016/796, where the examination referred to in paragraph 1 leads to a negative assessment, the Agency shall inform the Member State concerned and ask it to state its position regarding that assessment. If, following that exchange of views with the Member State concerned, the Agency maintains its negative assessment, the Agency shall within a maximum period of 1 month:

(a) issue an opinion addressed to the Member State concerned, stating that the national rule or rules in question has or have been the subject of a negative assessment and the reasons why the rule or rules in question should be modified or repealed; and

(b) inform the Commission of its negative assessment, stating the reasons why the national rule or rules in question should be modified or repealed.

3. Analysis

3.1. Tasks under the responsibility of the Member States :

In accordance to rules cleaning-up programm plan ERA-PRG-006-PPL from March 2016, Member states were asked to :

- Identify and remove national rules covered by TSIs,
- Relate national rules to the TSIs and to the list of parameters defined in decision 2015/2299/EU,
- Clearly refer national rules not related to open point(s) or specific case(s) to TSI requirements in order to identify if they complement/contradict/replace TSIs for compatibility with existing networks,
- Ensure that the requirement is a mandatory rule. Acceptable national means of compliance in accordance to the definition in article 2 (34) of Directive 2016/797 is not considered as a national rule,
- Identify and analyse requirements that don't relate to any of the above, verify, in this case for example if the TSI is deficient/non-exhaustive.

Based on the outcome of this activity, Member States should have:

- Published their national rules in the Reference Document Database and
- Aligned their national legislation for vehicle authorisation with the Reference Document Database.

3.2. Tasks carried out by the Agency

During the project of cleaning up of national rules for vehicle authorisation covered by the Rules cleaning up program plan ERA-PRG-006-PPL , the Agency has :

- Provided technical support to Member States in the cleaning up of the remaining rules by ensuring:
 - o That rules relate to : Open points, Specific cases, Legacy system or rule duly justified for compatibility with existing fixed installation (i.e. a specific case not declared up to now).
 - o Consistency with the EU framework, including register of infrastructure and responsibilities of actors as defined in the Safety Directive and TSI OPE.
 - o That the rule is transparent and not discriminatory.
 - o The update of the Reference Document Database.
- Assessed the relevance of the remaining national rules together with the Member states, using the Reference Document Database as a reference.
- Provided regular reporting to European commission on the progress made.
- Updated the Reference Document Database with the status of the evaluation.
- In accordance with article 25(3) and 26(3) of Agency regulation 2016/797, the Agency informed officialy the Member States and the European Commission through an assessment report, sent by email, on the national rules in addition to latest TSIs (ERA-PRG-006-REP-RST). This report was published on the ERA websiste and uploaded on the CIRCABC .
- The Agency asked to the Member States to check the report, to provide comments and to take into consideration the actions proposed. To date, no feedback was received from France .

3.2.1. National rules subject to assessment by the Agency

The table 1 below provides an overview of national rules notified by Member States and subject or not to an assessment by the Agency:

Table 1 : Overview of national rules notified by Member States and subject or not to an assessment by the Agency

National Rules relates to	Published in RDD	Evaluated	Remarks
Vehicles in the scope of Loc&Pas and WAG TSIs	Yes	Yes	Freight wagons, Locomotives, Trainsets / Electric or Diesel Multiple Unit, Passenger coaches, Track machines/OTMs.
Article 13.2(a): Open points listed in TSIs	Yes	Yes	TSIs clearly identify where a national rule may be kept and notified; traceability between TSIs and possible remaining national rules is clearly established, and the corresponding rules are recorded in RDD. The Agency checked if the national rule covers the scope of the open point.
Article 13.2(a): Other Directives	Yes	No	Corresponding rules are available in RDD. Anyway, it will have to be decided at later stage with the Commission how to deal with these rules, considering the mentioned Directives. As a general principle, the TSIs in force don't cover subjects in the scope of these other EU Directives. Corresponding parameters are defined in section 3.2.3 of the report ERA-PRG-006-REP-RST
Article 13.2 (b): Non application of TSI	No	No	
Article 13.2 (c): Specific cases mentioned but not described in TSIs	Yes	Yes	TSIs clearly identify where a national rule may be kept and notified. Traceability between TSIs and possible remaining national rules is clearly established, and the corresponding rules are recorded in RDD. The Agency checked if the national rule covers the scope of the specific case.
Article 13.2(d): Technical compatibility between vehicle and existing network(s)	Yes	Yes	This includes vehicles with ETCS pre-baseline 2 versions (e.g. 2.2.2), additional functionality implemented on-board (e.g. NTRs from other MS) and TSI options implemented trackside (e.g. infill).
Article 13.2 (e): Vehicles not covered by TSIs	No	No	Concern vehicles such as Tram-Train, metric gauge vehicle.
Article 13.2 (f): Urgent temporary preventive measure following an accident	No	No	

Table 1 : Overview of national rules notified by Member States and subject or not to an assessment by the Agency

National Rules relates to	Published in RDD	Evaluated	Remarks
TSI potentially deficient or not exhaustive	Yes	Yes	National rules when accepted by the Agency are maintained pending the resolution of the potential deficiency.
Previous versions of TSIs not listed in section 3.1.2 of the report ERA-PRG-006-REP-RST	Yes	No	
Vehicle not TSI compliant authorised before TSIs.	Yes	No	Rules are in RDD for reference/history and are not subject to Agency evaluation.

3.2.2. Summary of the results of the examination of national rules

The table 2 below provides an overview of the number of national rules and acceptable national means of compliance notified by the Member State in addition to latest TSIs and the results of the examination leading to a positive or negative assessment.

The annex 1 provides details of the assessment leading to negative assessment. The national rules subject to discussion/clarification with the Member State are also counted in the column "Negative assessment".

Table 2 : number of national rules notified by Member states and results of the examination

Member States	Number of National rules (or draft national rules) and Acceptable national means of compliance	Results of the examination		Remarks
		Positive assessment	Negative assessment	
France	76	40	36	All requirements published in RDD are considered as acceptable means of compliance. 2 parameters contains requirements that should be modified. 34parameters contains requirements that should be repealed.

4. The opinion

In accordance with article 26(3) of Regulation 2016/796, the opinion covers the examination of national rules and acceptable national means of compliance by the Agency leading to a negative assessment.

The annex 1 provides to the Member State:

- The list of actions to be taken into account,
- An assessment table with :
 - o The national rules and/ or acceptable national means of compliance concerned,
 - o The Agency assessment of each requirement and the reasons why this is not accepted,
 - o The status of the assessment indicating whether the requirements should be modified or repealed.

Valenciennes,



Josef DOPPELBAUER
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5. ANNEX 1 – Examination of national rules leading to negative assessment

The national rules (binding rules) for vehicle authorisation in France are defined in the article 49 of arrêté du 19 mars 2012 (Arrêté du 19 mars 2012 fixant les objectifs, les méthodes, les indicateurs de sécurité et la réglementation technique de sécurité et d'interopérabilité applicables sur le réseau ferré national).

Article 4 of arrêté du 19 mars 2012 indicates that compliance to « acceptable means of compliance » published by EPSF provides a presumption of conformity to the arrêté :

« Sans préjudice du respect de la documentation d'exploitation, les exigences prévues par le présent arrêté sont présumées satisfaites dès lors que sont respectées les dispositions prévues par les documents techniques, les règles de l'art ou les recommandations définies par l'EPSF comme ayant valeur de moyen acceptable de conformité. »

The Agency remind that “acceptable national means of compliance “ (named Specification d’Autorisation du Matériel (SAM)) should be in line with the definition in article 2(34) of directive (EU) 2016/797 where ‘acceptable national means of compliance’ means non-binding opinions issued by Member States to define ways of establishing compliance with national rules. The majority of the documents SAM mentioned in the parameters of RDD contains technical requirements to which a vehicle should comply with.

The following actions should be taken into account by France :

- Acceptable national means of compliance named “Specification d’Autorisation du Matériel (SAMs)” provides not only ways of establishing compliance with national rules (as defined in article 2(34) of directive (EU) 2016/797) but also technical requirements/rules. They should be revised and aligned with the definition in article 2(34) of directive 2016/797.
- Some SAMs should become national rules (e.g SAMs related to class B) .
- RDD should be revised to indicate for each requirements a reference to the article 49 of arête du 19 mars 2012.

The table below presents the rules where the evaluation performed by the Agency lead to a negative assessment.

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Compatibility with existing network	2.1.2.1-Load conditions and weighed mass : L'application du § 7.7.1 de la norme NF F 58-001-1 : 2018 est possible.	The requirement apply to On Track Machine and refers to clause 4.2.2.10 of Loc&Pas TSI 1302/2014. Agency : France to justify the requirement and provide access to the clause 7.7.1 of NF F 58-001. The Agency remind that there is no open point,	Not accepted National rule/ acceptable national means of

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Other rules not covered technical compatibility (e.g potential TSI deficiency)	<p><u>2.1.5-Fixing of devices to car body structure:</u> Recommandation de moyen de maitrise des risques pour tous les matériels : en complément des fixations des organes et équipements extérieurs sur la caisse et sur le bogie respectant les référentiels du paramètre 2.1.5 et susceptibles de tomber sur la voie, des dispositifs de sécurité ou dispositions sont à prévoir en cas de défaillance de ces fixations (appuis positifs, pare chutes, ...). Ces dispositifs de sécurité ou dispositions doivent être dimensionnés suivant les critères accélérométriques de la norme EN 12663 (dépendant de la catégorie des véhicules).</p>	<p>no specific case declared in the TSI for the parameter 4.2.2.10 of Loc&Pas TSI.</p> <p>The requirement refers to clause 4.2.2.7 of Loc&Pas TSI 1302/2014. France indicates that the need to provide recommendations for the means to be used for all the equipment, in addition to the fixing of the external equipment that could fall on the track, in order to completely control the risk. Ex: safety devices or constructive provisions to avoid falling in case of failure of these fixings (e.g positive supports). France proposes that the requirement will be withdrawn when it will be considered in an Agency document such as TSI application guide.</p> <p>Agency : TSI Loc&Pas defines functional requirements that cover mechanical fixation of equipments and refer to the EN 12663. In addition, rules related to fixation of equipment had been already discussed in the TSI working party. The application guide can not introduce new elements on top of TSI.</p>	<p>compliance should be repealed</p> <p>Not accepted National rule/ acceptable national means of compliance should be repealed</p>
RST	Other rules not covered technical compatibility (e.g potential TSI deficiency)	<p><u>3.3.1-Bogies:</u> Recommandation de moyen de maitrise des risques pour tous les matériels : en complément des fixations des organes et équipements extérieurs sur le bogie respectant les référentiels du paramètre 3.3.1 et susceptibles de tomber sur la voie, des dispositifs de sécurité ou dispositions sont à prévoir en cas de défaillance de ces fixations (appuis positifs, pare chutes, ...). Ces dispositifs de sécurité ou dispositions doivent être dimensionnés</p>	<p>Agency : see parameter 2.1.5 above</p>	<p>Not accepted National rule/ acceptable national means of compliance should be repealed</p>

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Other rules not covered technical compatibility (e.g potential TSI deficiency)	suivant les critères accélérométriques de la norme EN 13749. <u>4.5.1-Emergency braking performance,</u> <u>4.5.2-Service braking performance,</u> <u>4.5.3-Calculations related to thermal capacity</u> <u>4.5.4-Parking brake performance,</u> <u>4.5.5-Brake performance calculation,</u> <u>4.7.2-Dynamic brake linked to traction,</u> <u>4.7.5-Parking brake :</u> Article 49 g) of the "arrêté 19 march 2012" and SAM F 018, SAM F005	SAM F005, SAM F018 refer to the following TSI Loc&Pas clauses : - 4.2.4.5.2 Emergency braking, - 4.2.4.5.3. Service braking, - 4.2.4.5.4 Calculations related to thermal capacity, - 4.2.4.5.5 Parking brake, - 4.2.4.7. Dynamic brake - Braking system linked to traction system, France indicates that SAM F005 and SAM F018 covers the TSI OPE and are today used for vehicle autorisation. The requirements provides among other aspects stopping distances for different type of vehicles, train composition (e.g MA 100). Agency : The braking distances necessary to operate on a line are not subject to vehicle authorisation but are covered by the clause 4.2.2.6 of OPE TSI such as information that infrastructure manager shall provide to Railway undertakings. At vehicle authorisation stage, the braking distances are verified according to harmonized procedures defined in the TSI and are reported in the vehicle technical file. SAM F005 and F0018 should be revised to be aligned with Loc&Pas TSI: - Aspects related to operation that are not part of vehicle authorisation should be transferred to operational. - Complements to parking brake and thermal capacity are to be justified.	Not accepted National acceptable national means of compliance should be repealed
RST	Other rules not covered technical compatibility	<u>4.7.1.1-Brake blocks:</u> Application de la clause C14 de la STI wagons	The requirement refer to clause C14 of WAG TSI. Agency : The rule is already covered by TSI WAG (see clause 4.2.4.2, 7.2.2.2) and is to be removed for TSI conform Wagon.	Not accepted National acceptable national means of

Subsystem	Distribution of remaining rules (e.g. potential TSI deficiency)	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Other rules not covered technical compatibility (e.g. potential TSI deficiency)	4.7.5-Parking brake: SAM F 005 ou EN 14033-1 : 2017 § 9.2.6.2 et NF F 58-001-1 : 2018 § 9.2.6.2.	The requirements apply to On track Machine and relates to clause 4.2.4.5.5 of Loc&Pas TSI 1302/2014. Agency : The clause 4.2.4.5.5 cover the requirements related to parking brake. France should justify why they maintain the rule in addition to TSI.	compliance should be repealed Not accepted National rule/ acceptable national means of compliance should be repealed
RST	Other rules not covered technical compatibility (e.g. potential TSI deficiency)	6.2.2.1-Stationary noise impact, 6.2.2.2-Starting noise impact, 6.2.2.3-Pass-by noise impact: Pour les engins de travaux, le niveau de bruit à considérer est uniquement lié au mode "circulation".	The requirements apply to On track Machine and relates to application of NOISE TSI 1304/2014 and section 2.3.1 (D) of Loc&Pas TSI 1302/2014 Agency : The requirement duplicates the section 2.3.1(D) of Loc&Pas 1302/2014 that already indicate that OTM is in the scope of the TSI only when: — It is running on its own rail wheels, (..) In addition the TSI NOISE 1304/2014 in its article 2 indicates that the TSI NOISE shall apply to the rolling stock which falls within the scope of Commission Regulation (EU) No 1302/2014(..).	Not accepted National rule/ acceptable national means of compliance should be repealed
RST	Other rules not covered technical compatibility (e.g. potential TSI deficiency)	7.2.2.4-Lamp controls: Matériel STI Loc&Pas 2011/291 (pas d'exigence sur le signal d'alerte lumineux). Recommandation pour le signal d'alerte lumineux feux clignotants : utilisation d'une fréquence de 120 cycles par minute, avec une temps d'allumage moyen, dans chaque cycle, égal au tiers de la durée totale du cycle (valeurs issues de la norme NF F 14-402 § 5.2.5.1 à 5.4).	The requirements refers to clause 4.2.7.1.4 of Loc&Pas TSI 1302/2014. Agency : The rule "Blinking mode" and the recommendation related to the frequency is not a rule for vehicle authorisation, this is dealt with under the SMS of Railway undertaking. There could be many ways that does not require a technical change of a vehicle.	Not accepted National rule/ acceptable national means of compliance should be repealed

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Compatibility with existing network	<p>La STI Loc&Pas 1302/2014 (§ 4.2.7.1.4) laisse la possibilité d'utiliser d'autres systèmes, qui devront alors être documentés.</p> <p>Rule for OTM : EN 14033-1 : 2017 § 13.3.4</p>	<p>Regarding the rule for OTM, EN provides technical solution where TSI define functional requirements. An applicant may use the EN standard as an harmonised standard but it cannot be mandated by a rule.</p>	
	8.2.1.3-Regenerative braking: Article 49 d) of the "arrêté 19 march 2012" and SAM T004	<p>SAM T004 clauses 4.2.1 et 4.3 refers to clause 4.2.8.2.3 of Loc&Pas TSI 1302/2014.</p> <p>France indicates the need of new specific cases for Regeneration brake : « <i>clause 4.2.1 of SAM T004, la disparition de la tension doit être effective dans les 10 secondes suivant la coupure de l'alimentation</i> » <i>requis supplémentaire à l'EN 50388 § 12.1</i> »</p> <p>Agency:</p> <p>Loc&Pas TSI refers to EN 50388:2012 clause 12.1.1. Unit shall not continue to use their regenerative brake if:</p> <ul style="list-style-type: none"> - there is a loss of supply voltage or a contact line-rail/earth short-circuit on the same section fed by the substation, - the contact line fails to absorb the energy, - the line voltage is higher than U max 2 (see EN 50163 clause 4.1), - If feedback energy absorption by other consumers is not available, rolling stock shall revert to other brake systems. <p>France refers to « <i>matériel moteur disposant d'un facteur de puissance différent en traction et en freinage par récupération.</i> »</p> <p>ERA understand that this issue refers to:</p> <ul style="list-style-type: none"> - the quality of the energy returned to the HV Network. The values of table 1 referred in EN 50388 are more demanding than those proposed by France. 	<p>SAM T004 clauses 4.2.1 et 4.3 refers to clause 4.2.8.2.3 of Loc&Pas TSI 1302/2014.</p> <p>France indicates the need of new specific cases for Regeneration brake : « <i>clause 4.2.1 of SAM T004, la disparition de la tension doit être effective dans les 10 secondes suivant la coupure de l'alimentation</i> » <i>requis supplémentaire à l'EN 50388 § 12.1</i> »</p> <p>Agency:</p> <p>Loc&Pas TSI refers to EN 50388:2012 clause 12.1.1. Unit shall not continue to use their regenerative brake if:</p> <ul style="list-style-type: none"> - there is a loss of supply voltage or a contact line-rail/earth short-circuit on the same section fed by the substation, - the contact line fails to absorb the energy, - the line voltage is higher than U max 2 (see EN 50163 clause 4.1), - If feedback energy absorption by other consumers is not available, rolling stock shall revert to other brake systems. <p>France refers to « <i>matériel moteur disposant d'un facteur de puissance différent en traction et en freinage par récupération.</i> »</p> <p>ERA understand that this issue refers to:</p> <ul style="list-style-type: none"> - the quality of the energy returned to the HV Network. The values of table 1 referred in EN 50388 are more demanding than those proposed by France. 	Not accepted National rule/ acceptable national means of compliance should be repealed.

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Compatibility with existing network	<u>8.2.1.4-Maximum power and maximum train current that is permissible to draw from the overhead contact line:</u> Article 49 d) of the "arrêté 19 march 2012" and SAM T004 § 3 Et SAM E 903 (§ 4.6 dans la version de 2018) L'intensité à l'arrêt peut être soumise à restriction en 1,5 kV notamment en cas d'utilisation d'archets à bandes carbone.	<p>- the extra requirement of 10 secondes. (coordination arrangement)</p> <p>ERA does not see therefore any need for a specific case or national rule on this issue, since the EN and TSI already cover sufficiently this aspect.</p> <p>SAM T004 clause 3 refers to clauses 4.2.8.2.4 of Loc&Pas TSI 1302/2014.</p> <p>France indicates the need of new specific case related to power limitation.</p> <p>Agency: TSI Loc&Pas indicates that Electric units with power higher than 2 MW (including the declared fixed and predefined formations) shall be equipped with power or current limitation function. France proposal states « est supérieure strictement à 6 MW ». ERA underlines that SNCF Reseaux expressed his disagreement concerning the 6MW (meeting hold on 07/11/2016), and suggests to reach a common proposal of this parameter.</p>	Not accepted National acceptable national means of compliance should ne repealed
RST	Compatibility with existing network	<u>8.2.2.1-Pantograph overall design:</u> SAM E 903 (§ 4.2.2 dans la version de 2018)	<p>There is no clause 4.2.2 in the SAM E903 published in EPSF website (link), the Agency understand that the right clause is 5.2.2.</p> <p>Agency : The rule was already discussed during the bilateral meetings with France and was attached to parameter 8.2.2.4, it was agreed that the rule does not apply to TSI conform vehicle and confirmed by the extract of clause 5.2.2 of SAM E903 « Les pantographes 25 kV des engins à grande vitesse dont l'effort moyen de contact dépasse celui défini dans la STI ENE 1301/2014 au § 4.2.11, qui renvoie au tableau 6 de la norme EN 50367 (ligne Fm ,max (N) et colonne v > 200 km/h courant alternatif) »</p>	Not accepted National acceptable national means of compliance should be repealed
RST	Compatibility with existing network	<u>8.2.2.3-Pantograph contact force (including static contact force, dynamic behaviour and aerodynamic effects):</u>	The clauses mentioned are not in the SAM E903 published in EPSF website (link), the Agency understand that the right clauses are 5.2.1, 5.3.1 5.4.4., 5.7.1, 5.8, 6.2, 6.4, 6.5.	Not accepted National acceptable national means of

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
	<p>Article 49 d) of the "arrêté 19 march 2012" and</p> <p>En statique :</p> <p>SAM E 903 (§ 5.3 dans la version de 2018)</p> <p>En dynamique :</p> <p>SAM E 903 (§ 4.2.1, 4.3.1, 4.4.4, 4.7.1, 4.8, 5.2, 5.4, 5.5 dans la version 3 de 2018)</p>	<p><u>Clauses related to "soulevement" (5.2.1, 5.3.1, 5.4.4) were already discussed during bilateral meetings with France. See the conclusion that was shared and discussed with France. The Agency considers that:</u></p> <ul style="list-style-type: none"> • Amplitude of pantograph displacement corresponds to the parameter 4.2.17 Vertical movement of the contact point of the HS ENE TSI (Dec.2008/284/EC). This requirement is now deleted in the current TSI . • Uplift of the contact wire at the support corresponds to the requirement referring space for the steady arm uplift in the parameter: Dynamic behavior and quality of current collection (valid for HS, CR and current ENE TSIs) <p>In the framework of drafting the TSIs, it was agreed that only the parameter Dynamic behaviour and quality of current collection is sufficient to define the phenomena related to the proper interaction between the pantograph and the OCL. Therefore, we see no reason to keep these parameter in the SAM. The TSI refers to EN 50367, and both, the TSI and the standard, have been accepted by France.</p>	<p><u>Clause 5.7.1 was notified in parameter 8.2.2.8 : See assessment below.</u></p> <p><u>Clause 5.8:</u> EN50317 is already required by TSI, the assessment demanded is contradicting the clause 6.2.3.20(5) "The measured results shall be in accordance with the clause 4.2.8.2.9.6 for either mean contact force and standard deviation or percentage of arcing.</p> <p><u>Clauses 6.4, 6.5:</u> The Agency considers that the EN norms + TSI (chapter 6) + French specific cases are sufficient to define the tests.</p>	<p>compliance should be repealed</p>


Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	<p>Compatibility with existing network</p>	<p><u>8.2.2.4-Working range of pantographs:</u> Article 49 d) of the “arrêté 19 march 2012” and SAME903 (§ 4.2.3, 4.3.2, 4.4.5 dans la version 3 de 2018)</p> <p><u>8.2.2.5-Current capacity of pantograph including contact strip:</u> SAM E 903 (§ 4.2.4, 4.2.5, 4.3.3, 4.3.4, 4.4.6, 4.4.7 dans la version 3 de 2018)</p>	<p>The clauses mentioned are not in the SAM E903 published in EPSF website (link), the Agency understand that the right clauses are 5.2.3, 5.3.2 and 5.4.5</p> <p>The clauses mentioned are not in the SAM E903 published in EPSF website (link), the Agency understand that the right clauses are 5.2.4, 5.2.5 et 5.3.3, 5.3.4, 5.4.6, 5.4.7</p> <p>SAM E903 clauses 5.2 refers to clauses 4.2.8.2.9.1 and of Loc&Pas TSI 1302/2014</p> <p>France indicates that new specific cases will be required to cover: « <i>catenaire du midi, Soulèvements du fil de contact au droit des supports, butée LGV, amplitudes de débattement pantographe</i> ».</p> <p>Agency : In the framework of drafting the TSIs, it was agreed that only the parameter Dynamic behaviour and quality of current collection is sufficient to define the phenomena related to the proper interaction between the pantograph and the OCL. Therefore, requirements in paragraphs: « <i>Amplitudes du débattement du pantographe, Soulèvements du fil de contact au droit des supports</i> » should not apply on top of TSI.</p> <p>The TSI refers to EN 50367, and both the TSI and the standard, have been accepted by France.</p>	Not accepted National rule/ acceptable national means of compliance should be repealed
RST	<p>Compatibility with existing network</p>	<p><u>8.2.2.8-Pantograph lowering:</u> SAM E 903 (§ 4.7.2 dans la version de 2018)</p>	<p>The clause 4.7.2 mentioned is not in the SAM E903 published in EPSF website (link), the Agency understand that the right clauses are 5.7.2.</p> <p>The requirement relates to clause 4.2.8.2.9.10 of Loc&Pas TSI 1302/2014.</p> <p>Agency : The rule duplicate the TSI requirement and ask the application of TSI clause 4.2.8.2.9.10 and EN 5026-1 already called by TSI.</p>	Not accepted National rule/ acceptable national means of compliance should be repealed

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Compatibility with existing network	<p>8.2.3.1-Contact strip geometry</p> <p>8.2.3.2-Contact strip material</p> <p>8.2.3.3-Contact strip assessment: Article 49 d) of the "arrêté 19 march 2012" and SAM E 903</p> <p>(§ 4.9.1 dans la version de 2018)</p> <p>(§ 4.9.2 dans la version de 2018)</p> <p>(§ 4.9.8 dans la version de 2018)</p>	<p>The clauses 4.9.1, 4.9.2 and 4.9.8 mentioned are not in the SAM E903 published in EPSF website (link), the Agency understand that the right clauses are 5.9.1, 5.9.2 and 4.9.8</p> <p>SAM E 903 clause 5.9 refers to clauses 4.2.8.2.9.4.1, 4.2.8.2.9.4.2 of Loc&Pas TSI 1302/2014</p> <p>France will introduce the following specific case :</p> <p><i>"Bandes de frottement</i> <i>En 1500 V et 750 V la bande de frottement doit avoir une largeur minimale de 50 mm.</i> <i>En 25 kV la bande de frottement doit avoir une largeur minimale de 35 mm pour un archet muni de 2 bandes ou 50 mm pour un archet monobande.</i> <i>La raison de cette largeur minimale est la réduction du risque de casse des bandes carbonées dans les isolateurs de section du réseau non STI. »</i></p> <p>Agency : The TSI and the EN 50206 define the contact strips requirements. ERA considers that these requirements are sufficient. Selection of contact strip material is already covered by TSI 4.2.8.2.9.4.3 (3) (if permitted in the RINF)</p>	Not accepted National acceptable national means of compliance should be repealed
RST	Compatibility with existing network	<p>8.2.2.8-Pantograph lowering.</p> <p>8.2.3.4-Detection of contact strip breakage: Pour les vitesses supérieures à 250 km/h, les pantographes utilisés doivent être munis d'un dispositif de détection d'avaries d'archet provoquant l'abaissement automatique du pantographe.</p>	<p>The requirement clause 4.2.8.2.9.10 of Loc&Pas TSI 1302/2014/ Agency: Not accepted as it is already covered by TSI 4.2.8.2.9.10 (4) : "Electric units of maximum design speed higher than 160 km/h shall be equipped with an ADD"</p>	Not accepted National acceptable national means of compliance should be repealed
RST	Other rules not covered technical	9.5.1.2-External steps and handrails for shunting staff:	<p>The requirement apply to On Track Machine and refers to clause 4.2.9.1.2.1 of Loc&Pas TSI 1302/2014. Agency :</p>	Not accepted National acceptable national means of compliance should be repealed

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Other rules not covered technical compatibility (e.g potential TSI deficiency)	Lorsque les marchepieds d'accès ne permettent pas à un agent de s'y tenir sans engager le gabarit, une inscription interdisant de s'y tenir pendant les déplacements est à apposer au droit de chaque marchepied concerné. <u>9.5.3-On-board tools and portable equipment:</u> Hors AMEC/AMM : il est rappelé que le conducteur doit avoir à sa disposition un certain nombre d'agrs, dont l'utilisation est prescrite dans la documentation d'exploitation.	The rule is not related to vehicle authorisation but more related to SMS of Railway Undertaking	means of compliance should be repealed
RST	Other rules not covered technical compatibility (e.g potential TSI deficiency)	<u>9.5.3-On-board tools and portable equipment:</u> Hors AMEC/AMM : il est rappelé que le conducteur doit avoir à sa disposition un certain nombre d'agrs, dont l'utilisation est prescrite dans la documentation d'exploitation.	Agency : As mentioned in the rule, it does not apply to vehicle authorisation.	Not accepted National rule/ acceptable national means of compliance should be repealed
RST	Compatibility with existing network	<u>9.6-Recording device:</u> Article 19) et 49 i) of the "arrêté 19 march 2012" and SAM S704 Rule for OTM : SAM S 704 + enregistrement des deux événements suivants : - la commande de mise en position travail ou circulation du commutateur ; - le changement de position de la brosse (dans le cas d'une brosse escamotable)	The national rule refers to clause 4.2.9.6 of Loc&Pas TSI 1302/2014. France indicates that SAM S704 has additional requirements covering operation. The rule is maintained pending its transfer to operational document. Agency : The informations to be registered by the recording device are covered by the TSI OPE. The information that is recorded must be for investigation purposes in the event of an accident. Requirements related to operation are not part of vehicle authorisation.	Not accepted National rule/ acceptable national means of compliance should be repealed
RST	Other rules not covered technical compatibility (e.g potential TSI deficiency)	<u>10.2.3-Passenger alarm :</u> Engins de travaux possédant des cabines multiples occupées par du personnel : EN 14033-1 : 2017 § 14.3.2	The requirement apply to On Track Machine and relate to clause 4.2.9.1.2.2 of Loc&Pas TSI 1302/2014 Agency : The clause 14.3.2 of EN 14033-1 deal with emergency exits of an OTM. The rule is not to be placed in the parameter 10.2.3 passenger alarm and is already fully covered by clause 4.2.9.1.2.2 of Loc&Pas TSI.	Not accepted National rule/ acceptable national means of compliance should be repealed

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
RST	Other rules not covered technical compatibility (e.g potential TSI deficiency)	<p><u>10.2.4-Emergency lighting:</u> Les cabines de conduite et les cabines occupées par du personnel en mode circulation sont équipées d'un éclairage de secours.</p>	<p>The requirement apply to On Track Machine and relate to clause 4.2.10.4.1 of Loc&Pas TSI 1302/2014</p> <p>Agency : The requirement is already fully covered by clause 4.2.10.4.1 of Loc&Pas TSI 1302/2014: "To provide protection and safety on board in the event of emergency the trains shall be equipped with an emergency lighting system."</p>	Not accepted National rule/ acceptable national means of compliance should ne repealed
CCS	ETCS and GSM-R	<p><u>12.1.2.2-Other GSM-R requirements:</u> "L'attestation de conformité devra spécifier la version des normes EIRENE. Sur LGV, pour les véhicules à grande vitesse, la commutation du canal radio est automatique. L'autonomie nominale de la radio est d'au moins trois heures, dont trente minutes en émission. La radio GSM-R est équipée de la fonction de déclenchement de l'alarme VACMA et de la fonction d'alerte radio (SAR), conformément à l'alinéa 2) du § 4.2.9.3.1 de la STI Loc&Pas 1302/2014. Les radios équipant les cabines de conduite doivent avoir une carte SIM fournie ou acceptée par le GI, opérateur national GSM-R. L'implantation de l'antenne et son raccordement au toroir radio doivent garantir les performances réglementaires en émission et en réception. Voir le champ ""Description"" pour les événements redoutés à prendre en compte et leur probabilité d'occurrence.</p>	<p>The clause contains a mixture of topics.</p> <p>"12.1.2.2-Other GSM-R requirements: The attestation of conformity shall specify the version of the EIRENE standards." The NoBo certificate has to refer to the set of specifications, so this is an information but not a requirement. "On LGV, for high-speed vehicles, the switching of the radio channel is automatic." It is not clear to what this is referring to. If this is related to the radio channels used for enhanced Railway Emergency Calls (eREC), which is an OPTIONAL feature available in France, indeed, this is for information. There is no requirement in the CCS TSI to support the optional function eREC. In fact, the trackside SHALL BE CONFIGURED to ensure that trains not supporting eREC will receive a regular REC when running in the area. If this sentence refers to eREC, only for information. If this refers to something else, please ask FR to clarify.</p> <p>"The nominal range of the radio is at least three hours, of which thirty minutes in emission."</p>	Not accepted, National rule/ acceptable national means of compliance should be modified Not accepted To be clarified by France

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
	<p>Description : "Enfin, les événements redoutés suivants sont à prendre en compte, avec la probabilité d'occurrence indiquée :</p> <ul style="list-style-type: none"> en cas d'activation de l'alerte radio par le conducteurs, l'alerte radio n'est pas émise à l'antenne (taux : 10E-5/h) <p>en cas de réception d'une alerte radio, l'information ""alerte radio n'est pas transmise au conducteur (taux : 10E-5/h)</p>	<p>Agency do not understand, Cab radios are installed in the dashboard of the cabin, and are plugged to the electric supply of the vehicle's elements. If there is no power, the cab radio will not work, it is not a requirement in CCS TSI to have specific batteries for the cab radio. The sentence seems to refer to handhelds, which are not mandated in the TSI, therefore, this sentence would be only for information, no requirement.</p> <p>"The GSM-R radio is equipped with the VACMA alarm function and the radio warning function (SAR) in accordance with § 4.2.9.3.1 (2) of the Loc & Pas 1302/2014 TSI."</p> <p>The "VACMA" alarm function is not mandatory in the CCS TSI. In the Loc&Pas TSI, there is a requirement for the DSD:</p> <p><i>"The system shall have the information 'lack of driver's activity triggered' available for being interfaced to other systems (i.e. the radio system)"</i></p> <p>But there is NO REQUIREMENT for the cab-radio to implement the interface. In case it is not implemented, and no connection to the DSD is available, an operational procedure could be put in place, to be covered under the RU SMS, to manage the manual establishment of the emergency call in case any event occurs to the driver. <u>This exported constraint cannot be accepted.</u></p> <p>"The radios on the driving cabs must have a SIM card provided or accepted by the IM, national operator GSM-R. " This is <u>not</u> an NTR. This will be checked in the route compatibility: in RINF, the IM will include the list of accepted SIMs. In principle, in case a SIM card has been issued by a GSM-R network that is not in this list, the RU shall ask the IM to include it. The IM shall, then, include in the GSM-R roaming agreements the GSM-R network as requested, and update RINF when this is done. This whole process is long (may take 1 year). In practice, if the SIM card on-</p>	<p>To be clarified by France</p> <p>Not accepted</p> <p>Not accepted</p>	

Subsystem	Distribution of remaining rules	National rules and acceptable national means of compliance	Examination of national rules and acceptable national means of compliance leading to a negative assessment	Agency assessment status
CCS	ETCS and GSM-R	disponibilité, fiabilité exigés sur le réseau ferré national <u>12.2.5.5-Ergonomic aspects of DMI:</u> La redondance des DMIs est recommandée. Voir la fiche UIC 612-01 ou la série de normes EN 16186.	<i>DMI redundancy is recommended. See UIC Leaflet 612-01 or the EN 16186 series of standard</i> The DMI is part of the black box, UIC leaflet opts. to switch the DMIs. Exported constraint. In addition, it is indicated "is recommended". If it is a recommendation, it is not an NTR, it is for information and should go somewhere else (maybe Network Statement?).	Not accepted National rule/ acceptable national means of compliance should be repealed
CCS	ETCS and GSM-R	<u>12.2.5.xxxx</u> Draft SAM S711	Discussion ongoing with France: Meetings hold between the Agency and NSA FR were the content of SAM S711 version 1 was discussed. Following that meeting NSA FR sent to Agency version 2 of SAM S 711. The version 2 was reviewed by the Agency, the comments were sent to NSA FR.  SAM S 711 projet 20190222 (002)-HB.d <u>Action NSA FR :</u> To provide an updated SAM S711 To update RDD with SAM S711 revised	Not accepted Discussion ongoing with France

<p>5.5. Further work required</p>	<p>The risks mentioned under section of 3.3 have to be closely monitored once the 4th RP is transposed in all Member States , in particular to detect any potential negative economic impacts.</p>
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6. Monitoring and evaluation

<p>6.1. Monitoring indicators</p>	<p>N/A</p>
<p>6.2. Future evaluations</p>	<p>N/A</p>

Making the railway system
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Light Impact Assessment

*4th Railway Package – Cleaning up National rules for Vehicle
Authorisation*

Technical Opinion OPI-2019-8

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1. Context and problem definition

<p>1.1. Problem and problem drivers</p>	<p>One of the main objectives of the the 4th Railway Package (RP) is to increase the efficiency of the authorisation process of vehicles and to ensure transparency and non-discrimination of applicants in this process.</p> <p>Applicants for vehicle authorisations have to demonstrate compliancy with TSIs and with national rules notified by MSs.</p> <p>The scope extension of TSIs, the functional and technical harmonisation of requirements within TSIs made a number of national rules redundant and unnecessary.</p> <p>Problem/need to be addressed:</p> <p>In accordance with Art. 14 (9) of Interoperability Directive 2016/797 the Agency examined the draft national rules and national rules notified in accordance to Art 13.2. The majority of rules were cleaned in consensus with the MS. The Technical Opinion focus on rules where there is disagreement between MS and the Agency concerning their justifications/acceptance. These rules might represent an obstacle in the vehicle authorisation process.</p>
<p>1.2. Main assumptions</p>	<p>1. In June 2012, the European Commission has commissioned an impact assessment in view of the preparation of the 4th RP, hereinafter referred to as the 4th RP IA¹. The cleaning of national rules is represented as an horizontal measure (to increase efficiency of the authorisation process) in all evaluated option. (where one of the option was the policy package summarized as 4th RP). This LIA uses this IA as main source for economic data.</p> <p>2. The TO only identifies the remaining rules in addition to TSIs refered in section of the TO where there is disagreement between MS and the Agency. As long as there is no removal or modification of the concerned rule(s), there is no economic impact. In this LIA we assume, that as a consequence of publication of the TO, the MS will withdraw the remaining rules so that an economic impact will appear.</p> <p>3. The majority of national rules was cleaned in consensus with the MS, which already lead to a significant reduction of applicable rules in the framework of vehicle authorisation (e.g. from approx. 14.000 national rules to less than 1000 national rules). As a consequence this achievement contributes significantly to the economic impacts of the complete cleaning process. The scope of the TO focus on the remaining rules where there is disagreement between MS and Agency, It contributes much lower to the economic impacts of the complete cleaning process.</p>

¹ See <https://ec.europa.eu/transport/sites/transport/files/modes/rail/studies/doc/2012-06-ia-support-study-era-final-report.pdf>

<p>1.3. Stakeholders affected</p>	<p><i>Category of stakeholder</i></p>	<p><i>Importance of the problem (*)</i></p>
	<p>National Safety Authorities</p>	<p>2 NSAs have to check the national part of the application for vehicle authorisation. However as compliance with national rules is checked by a DeBo, they are not directly concerned by the problem. However NSAs might be in charge of the management of national rules, especially keeping them up to date. In this context the problem could be relevant for them.</p>
	<p>ERA</p>	<p>2 Although ERA is not involved in the assessment of the national part of the application for vehicle authorisation, ERA is delivering the final authorisation decision. For this reason, ERA is concerned by the problem however in a limited way.</p>
	<p>Vehicle Supplier</p>	<p>5 As applicants for vehicle authorisations they have to declare compliance with all applicable national rules.</p>
	<p>RUs</p>	<p>5 If they are applicants for vehicle authorisations – see vehicle suppliers</p>
	<p>Infrastructure Managers</p>	<p>5 If they are applicants for vehicle authorisations – see vehicle suppliers</p>
	<p>Note: Other stakeholders not listed in this table like IMs, wagon keepers are not impacted.</p>	
	<p>*) 1=low; 5=high</p>	
<p>1.4. Evidence and magnitude of the problem</p>	<p>The evidence of the problem related to the inefficiency of the authorisation process was analysed in detail in the 4th RP impact assessment (see section 3 problem definition).</p> <p>The magnitude of the problem for all EU countries was not quantified but it is estimated to be an impact of hundreds of millions EUR for the European railway sector.</p>	
<p>1.5. Baseline scenario</p>	<p>The remaining national rules, where there is disagreement between MS and the Agency concerning their justifications/acceptance, are kept in force after the publication of this TO by the MS.</p>	
<p>1.6. Subsidiarity and proportionality</p>	<p>According to the provisions of article 14 (9) of Directive (EU) 2016/797 , draft national rules and national rules referred to in paragraph 1 shall be</p>	

	examined by the Agency in accordance with the procedures laid down in Articles 25 and 26 of Regulation (EU) 2016/796
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2. Objectives

<p>2.1. Strategic and specific objectives</p>	<p>Strategic objective(s) of the Agency with which this initiative is coherent.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Europe becoming the world leader in railway safety <input type="checkbox"/> Promoting rail transport to enhance its market share <input checked="" type="checkbox"/> Improving the efficiency and coherence of the railway legal framework <input type="checkbox"/> Optimizing the Agency’s capabilities <input checked="" type="checkbox"/> Transparency, monitoring and evaluation <input checked="" type="checkbox"/> Improve economic efficiency and societal benefits in railways <input type="checkbox"/> Fostering the Agency’s reputation in the world <p>The specific objective is to Increase the efficiency of the vehicle authorisation processes (Specific Objective 1);</p>
<p>2.2. Link with Railway Indicators</p>	<p>N/A</p>

3. Options

<p>3.1. List of options</p>	<p>Baseline Option 1 – Technical Opinion</p>
<p>3.2. Description of options</p>	<p>Baseline - corresponds to the Baseline of the 4th RP IA</p> <ul style="list-style-type: none"> › No cleaning of national rules <p>Option 1 – TO Negative Assessment of National Rules</p> <ul style="list-style-type: none"> › Description of remaining rules where there is disagreement between MS and ERA about their justification. › Further Assumption: These remaining rules will be removed or modified by the MS as a consequence of the publication of the TO
<p>3.3. Uncertainties/risks</p>	<p>1. The residual risk (related to a potential incompatibility with the network of the concerned MS) resulting from a removal or modification of a national rule is not taken into account in this LIA. It is considered to be marginal or non existent.</p> <p>2. The estimation of benefits of the 4th RP as stated in the 4th RP IA was based on stakeholders’ opinion survey and was performed in 2012. More updated evidence is not yet available.</p>

4. Impacts of the options

<p>4.1. Impacts of the options (qualitative analysis)</p>	<p>The positive or negative impacts from the option are derived by comparing the option against the baseline.</p>		
	<p><i>Category of stakeholder</i></p>		<p><i>Option 1</i></p>
	<p>NSAs</p>	<p>Positive impacts</p>	<p>Reduced costs in the framework of management of/ keeping up to date remaining national rules</p>
		<p>Negative impacts</p>	<p>N/A</p>
	<p>Agency</p>	<p>Positive impacts</p>	<p>Less work in the framework of classification of national rules (art 14.10)</p>
		<p>Negative impacts</p>	<p>N/A</p>
	<p>RUs</p>	<p>Positive impacts</p>	<p>They profit from clear and transparent national rules Reduced costs for vehicle (type) configuration management (e.g. in terms of vehicle change management and management of its operational use)</p>
		<p>Negative Impacts</p>	<p>N/A</p>
	<p>Vehicle Suppliers</p>	<p>Positive impacts</p>	<p>see RUs</p>
		<p>Negative Impacts</p>	<p>N/A</p>

	Overall assessment <i>(input for section 5.1)</i>	Positive impacts	Reduced costs for vehicle (type) configuration management due to an increase in the efficiency and transparency of the authorisation process.																													
		Negative impacts	Very limited																													
4.2. Impacts of the options (quantitative analysis)	<table border="1"> <thead> <tr> <th>Category of stakeholder</th> <th></th> <th>Option 1</th> </tr> </thead> <tbody> <tr> <td rowspan="2">RUs, Suppliers</td> <td>Benefits (euro)</td> <td><<100 M€ (1)</td> </tr> <tr> <td>Costs (euro)</td> <td>N/A</td> </tr> <tr> <td rowspan="2">NSAs</td> <td>Benefits</td> <td>N/A</td> </tr> <tr> <td>Costs (euro)</td> <td>N/A</td> </tr> <tr> <td rowspan="2">Agency</td> <td>Benefits (euro)</td> <td>N/A</td> </tr> <tr> <td>Costs (euro)</td> <td>N/A</td> </tr> <tr> <td rowspan="2">Overall</td> <td>Benefits (euro)</td> <td><<100 M€</td> </tr> <tr> <td>Costs (euro)</td> <td>N/A</td> </tr> </tbody> </table> <p>(1) Based on 4th RP IA: section 5.59 – estimated benefits for cleaning up of national rules. The amount of 100 M€ relates to the complete cleaning process. However the economic impact with regards to the TO can be considered much lower.</p> <p>Overall resulting figures:</p> <table border="1"> <thead> <tr> <th>CBA</th> <th>Option 1</th> </tr> </thead> <tbody> <tr> <td>NPV</td> <td><<100 M€</td> </tr> <tr> <td>B/C ratio</td> <td>>1</td> </tr> </tbody> </table>			Category of stakeholder		Option 1	RUs, Suppliers	Benefits (euro)	<<100 M€ (1)	Costs (euro)	N/A	NSAs	Benefits	N/A	Costs (euro)	N/A	Agency	Benefits (euro)	N/A	Costs (euro)	N/A	Overall	Benefits (euro)	<<100 M€	Costs (euro)	N/A	CBA	Option 1	NPV	<<100 M€	B/C ratio	>1
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	Costs (euro)	N/A																														
CBA	Option 1																															
NPV	<<100 M€																															
B/C ratio	>1																															

5. Comparison of options and preferred option

5.1. Effectiveness criterion (options' response to specific objectives)	The proposed option meets all specific objectives . Comparison not applicable as only one option was proposed and the baseline is not legally compliant with the 4 th RP in force.
5.2. Efficiency (NPV and B/C ratio) criterion	The proposed option retrieves positive NPV (<< 100 M€) and B/C ratio >1 Comparison not applicable as only one option was proposed and the baseline is not legally compliant with the 4 th RP in force.
5.3. Summary of the comparison	N/A as there is only one option.
5.4. Preferred option(s)	The proposed option is recommended in terms of both effectiveness and efficiency. There is no alternative proposal concerning the implementation of the 4 th RP.