

# OPINION

*OPI 2020-6*

## OF THE EUROPEAN UNION AGENCY FOR RAILWAYS

for Slovenia

regarding

Negative assessment of draft National Rules of Slovenia 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 Article 25 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 and have to notify draft national rules. When notifying an existing national rule or a draft national rule, 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 program 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 updated list of parameters defined in Commission Implementing Decision (EU) 2015/2299,
- 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 (EU) 2016/796, the Agency informed officially 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 website 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.
- NSA Slovenia considered most of the actions proposed by ERA during the rule assessment and revised the national rules.
- This technical opinion provides the evaluation on the eleven remaining national rules concerned by a negative assessment.

### 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 draft national rules

The table 2 below provides an overview of the number of national rules notified by the Member State in addition to the TSIs referred in section 1 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 draft 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 State	Number of draft national rules	Results of the examination		Remarks
		Positive assessment	Negative assessment	
<b>Slovenia</b>	11	2	9	3 National rule should be repealed 6 National rule should be modified

#### 4. The opinion

In accordance with article 25(3) of Regulation 2016/796, the opinion covers the examination of draft national rules 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 draft national rules concerned,
  - o The Agency assessment of each rule and the reasons why this is not accepted,
  - o The status of the assessment indicating whether the rule(s) should be modified or repealed.

Valenciennes, 11/06/2021

  
Josef DOPPELBAUER  
Executive Director

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

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

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
RST	Other rules related to compatibility with network / legacy system	<p><u>4.2-Safety requirements for braking at train level</u> PRAVILNIK o varnostni opremi tirnih vozil (OSNUTEK) - Priloga 3 IV. ZAVORNI PRESKUSI 14. člen (vrste preskusov zavor) (1) Na vlakih je treba opravljati popolne in delne preskuse zavor ter preskus prehodnosti GZV priklopnika. Za preskuse zavor in načine njihovega opravljanja v mednarodnem oziroma obmejnem prometu veljajo tudi določila objave UIC št. 453 (2) Na vlakih se morajo opravljati naslednji preskusi zavor: 1. popolni preskus zavor A (v nadaljnjem besedilu: A-preskus zavor), s katerim se preskusi delovanje samodejnih zračnih zavor in elektromagnetskih tirničnih zavor, vseh v vlak uvrščenih vagonov oziroma vozil z vključenimi zavorami, 2. delni preskusi zavor, ki so: a) posamični preskus zavor B (v nadaljnjem besedilu: B-preskus zavor), s katerim se preskusi delovanje zračnih zavor vagonov oziroma vozil, ki se: - dodajo vlaku, - na njih ponovno vključi zavora, - na njih izzrači zavora, b) priključni preskus zavore C (v nadaljnjem besedilu: C-preskus zavor), s katerim se preskusi delovanje zračne zavore prvega vozila za mestom prekinitve GZV v vlaku,</p>	<p>The national rule refers to clauses 4.2.2.5.2, 4.2.2.6 of TSI OPE 2019/773. <b>NSA SI justification:</b> NTR is prepared and in confirmation for TSI and NON TSI vehicles. NSA SI wait for Technical opinion from ERA. We are aware that the security requirements are covered by the TSI OPE, but we have inserted provisions in the NTR that it is prepared the types of tests and the requirement to perform each type of test. Regarding this, we placed this rule in parameter 4.2 rather than in 4.2.1 or 4.2.2 . Safety Directive 798/2016 - Article 8, point 3 b.) If the TSIs do not already cover the operational rules of the railway network. <b>Agency:</b> NSA SI refers to article 8 (3)(b) of safety directive(EU) 2016/798 to justify the need of the national rule : “3. Member States may lay down new national rules pursuant to this Directive only in the following cases: (...) (b) where operating rules of the railway network are not yet covered by TSIs” Article 8 of safety directive relates to national rules in the field of safety and not to national rules in the field of vehicle authorisation that are covered by articles 13, 14 of directive(EU) 2016/797.</p>	National rules not accepted, should be repealed



Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
		<p>c) sklepni preskus zavor D (v nadaljnjem besedilu: D-preskus zavor), s katerim se preskusi delovanje zračne zavore sklepnega vagona.</p> <p>(3) Preskus prehodnosti GZV priklopnika, s katerim se preskusi prehodnost GZV priklopnika, če je GZV priklopnika spojen z GZV vlaka.</p> <p>(4) Prevoznik mora zagotoviti, da vsa varnostna oprema na vlaku pred odhodom v celoti deluje in da vlak varno obratuje.</p> <p>15. člen (zahteva po opravljanju posamezne vrste preskusov zavor)</p> <p>(1) A-preskus zavor se mora opravljati:</p> <ol style="list-style-type: none"> <li>1. po sestavi vlaka,</li> <li>2. pri prevzemu vlaka od drugega prevoznika, če s sporazumom med njima ni drugače določeno,</li> <li>3. po izračenu zavor vseh vozil v vlaku,</li> <li>4. po preteku ene ure zadrževanja vlaka na prometnem mestu ali odprti progi pri zunanji temperaturi <math>-15\text{ °C}</math> ali nižji,</li> <li>5. če je na postaji sestave vagonskega vlaka opravljen popolni zavorni preskus A, lokomotiva pa se doda po preteku 24 ur ali v primeru zaustavitve vlaka na medpotni postaji in je vlak brez stalnega nadzora nad GZV_jem več kot 5 ur,</li> <li>6. na zahtevo strojevodje, če ta dvomi o pravilnem in zadostnem delovanju zavor.</li> </ol> <p>(2) B-preskus zavor se mora opravljati:</p> <ol style="list-style-type: none"> <li>1. kadar se vlaku dodajo vagoni,</li> <li>2. po ponovni vključitvi zavore posameznih vagonov,</li> <li>3. na vagonih, katerih zavora je bila izračena,</li> <li>4. na premikalnem sestavu.</li> </ol> <p>(3) Kombinirani B- in C- preskus zavor se mora opravljati po dodajanju vagonov na enem mestu v vlaku.</p>	<p>In addition, the national rules relates to tests to be performed by Railway undertaking (including when composing trains) covered by OPE TSI 4.2.2.5.2, 4.2.2.6 and is not related to vehicle authorisation. Please note that for vehicle authorisation, requirements applicable to brake are defined in clause 4.2.4 of TSI LOC&amp;PAS 1302/2014 and 4.2.4 of TSI WAG 321/2013.</p>	

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
		<p>(4) Kombinirani B- in D- preskus zavor se mora opravljati po dodajanju vagonov na več mestih v vlaku.</p> <p>(5) C-preskus zavor se mora opravljati:</p> <ol style="list-style-type: none"> <li>1. po zamenjavi lokomotive na čelu vlaka,</li> <li>2. po dodajanju lokomotive na drugi del razdeljenega vlaka, ki nadaljuje vožnjo v isto smer,</li> <li>3. po dodajanju priprežne lokomotive,</li> <li>4. po odstavitvi priprežne lokomotive,</li> <li>5. po prekinitvi GZV iz kakršnega koli vzroka na enem mestu,</li> <li>6. pri združitvi dveh ali več motornikov oziroma motornih garnitur,</li> <li>7. po zamenjavi upravljalnega mesta v vozniški kabini lokomotive na vlaku,</li> <li>8. po menjavi strojevodje, če nista pri menjavi prisotna oba strojevodja in če od opravljenega preskusa zavor A ni preteklo več kot 24 ur.</li> </ol> <p>(6) D-preskus zavor se mora opravljati:</p> <ol style="list-style-type: none"> <li>1. po spetju vlakovne lokomotive na postaji sestave vlaka, na katerem je bil pred tem opravljen popolni preskus zavor (s priprežno, doprežno ali premikalno lokomotivo oziroma stabilno kompresorsko napravo) v času, krajšem od 24 ur,</li> <li>2. po združitvi dveh vlakov, pri katerih je bil v času, krajšem od 24 ur, opravljen popolni preskus zavor,</li> <li>3. po razpustitvi vlaka, če od opravljenega preskusa zavor A ni preteklo več kot 24 ur,</li> <li>4. po delitvi vlaka in nadaljevanju vožnje prvega dela z isto lokomotivo v isto smer,</li> <li>5. po delitvi vlaka in nadaljevanju vožnje njegovega drugega dela v nasprotno smer,</li> <li>6. po spremembi smeri vožnje vlaka,</li> <li>7. po odstavitvi enega ali več vagonov na sklepu vlaka,</li> </ol>		

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
		8. po dodajanju ali odvzemanju doprežne lokomotive, vključene v GZV, 9. po prekinitvi GZV (zapiranje in odpiranje čelnih pip) na dveh ali več mestih.		
RST	Rules related to other directives	<u>8.4.1-EMC within the vehicle:</u> PRAVILNIK o varnostni opremi tirnih vozil (OSNUTEK) - Priloga 3 13. člen (5) (ostale zahteve) Elektromagnetna združljivost se mora preveriti v skladu s standardom SIST EN 50121.	The national rule relates to EMC Directive 2004/108/EC. <b>NSA SI justification :</b> The Rule will be in NTR - The Rule is not in TSI, because SIST EN 50121 is not written in any TSI <b>Agency :</b> The national rules should limit the reference of EN 50121 series to : <ul style="list-style-type: none"> <li>- EN 50121-1 EMC –General</li> <li>- EN 50121-3-2 EMC Rolling stock - Apparatus.</li> </ul>	National rules not accepted, should be modified

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
RST	Rules related to other directives	<p><u>8.4.2-EMC between the vehicle and the railway system:</u>            PRAVILNIK o varnostni opremi tirnih vozil (OSNUTEK) - Priloga 3            13. člen (5)            (ostale zahteve)            Elektromagnetna združljivost se mora preveriti v skladu s standardom SIST EN 50121.</p>	<p>The national rules refers to EMC Directive 2004/108/EC  <b>NSA SI justification:</b>            The Rule will be in NTR - The Rule is not in TSI, because SIST EN 50121 is not written in any TSI  <b>Agency :</b>            RDD parameter 8.4.2 is a heading and no national rules can be notified against a heading. SI should notify EN 50121 as following :</p> <ul style="list-style-type: none"> <li>- RDD parameter 8.4.2.2.2:               <ul style="list-style-type: none"> <li>o EN 50121-1 EMC –General</li> <li>o EN 50121-3-1 EMC Rolling stock - Train and complete vehicle</li> </ul> </li> <li>- RDD parameter 8.4.2.4:               <ul style="list-style-type: none"> <li>o EN 50121-1 EMC –General</li> <li>o EN 50121-3-1 EMC Rolling stock - Train and complete vehicle</li> </ul> </li> <li>- RDD parameter 8.4.2.5 :               <ul style="list-style-type: none"> <li>o EN 50121-1 EMC –General</li> <li>o EN 50121-3-1 EMC Rolling stock - Train and complete vehicle</li> </ul> </li> </ul>	National rules not accepted, should be modified

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
RST/CCS	Rules related to compatibility with Train detection system	<u>8.4.2.2.1 Electro-Magnetic fields/Induced voltages in the track/under the vehicle:</u> No rules notified	<b>Agency:</b> From Register of Infrastructure (RINF) it is mentioned that the network of Slovenia is equipped with axle counters, Slovenia should have national rules related to Electromagnetic Compatibility notified in RDD parameter 8.4.2.2.1 if Slovenia has installed axle counters not taken into account in the frequency management of the CCS TSI Interface Document 033281. (Class B axle counters). The axle counters taken into account for the development of this frequency management are listed under Annex A of Standard CLC/TS 50238-3.	National rules not accepted, should be modified
RST	Rules related to other directives	<u>8.4.2.2.2-Electro-magnetic fields/Induced voltages outside the track :</u> PRAVILNIK o varnostni opremi tirnih vozil (OSNUTEK) - Priloga 3 13. člen (5) (ostale zahteve) Elektromagnetna združljivost se mora preveriti v skladu s standardom SIST EN 50121.	The national rules refers to EMC Directive 2004/108/EC  <b>NSA SI justification:</b> The Rule will be in NTR - The Rule is not in TSI, because SIST EN 50121 is not written in any TSI <b>Agency :</b> SI should notify EN 50121 as following : <ul style="list-style-type: none"> <li>- RDD parameter 8.4.2.2.2:               <ul style="list-style-type: none"> <li>o EN 50121-1 EMC –General</li> <li>o EN 50121-3-1 EMC Rolling stock - Train and complete vehicle</li> </ul> </li> </ul>	National rules not accepted, should be modified

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
RST	Other rules related to compatibility with existing network/legacy system	<p><u>9.3.2-Driver display unit and screens:</u> PRAVILNIK o varnostni opremi tirnih vozil (OSNUTEK) - Priloga 3 16. člen (izpolnjevanje jezikovnih zahtev) Pri vlečnih vozilih, ki imajo na dan uveljavitve tega pravilnika dovoljenje za začetek obratovanja oz. dovoljenje za dajanje na trg in programska oprema ni v slovenskem jeziku, mora biti upravljavcu vlečnega vozila na voljo ustrezen prevod v slovenskem jeziku.</p>	<p><b>NSA SI justification :</b> NTR is prepared and in confirmation for TSI and NON TSI vehicles. NSA SI wait for Technical opinion from ERA <b>Agency :</b> The national rule is not clear, What means the software is not in Slovenian? Please note as mentioned in the LOC&amp;PAS TSI application guide the operational documentation is not required to be the final documentation to be used by the driver, which has to take into account real operating conditions in order to issue operating procedures or manuals that are directly applied by the driver. The language to be used for the final documentation should be defined by the user (not in the scope of this TSI).</p>	National rules not accepted, should be modified
RST	Other rules related to compatibility with existing network/legacy system	<p><u>9.3.4-Driver supervision:</u> PRAVILNIK o varnostni opremi tirnih vozil (OSNUTEK) - Priloga 3 12. člen (budnostna naprava) Budnostne naprave vgrajene v tirna vozila, morajo izpolnjevati določila poglavja 4 objave UIC št. 641.</p>	<p>The national rules refers to clause 4.2.9.3.1 of LOC&amp;PAS TSI 1302/2014. <b>NSA SI justification :</b> NTR is prepared and in confirmation for TSI and NON TSI vehicles. NSA SI wait for Technical opinion from ERA. Confirmed maintained by NSA SI The X value used in SI is 2.5 seconds (according to UIC 641) which is outside of the range in the TSI. <b>Agency :</b> The chapter 4 of UIC 641 is covered by clause 4.2.9.3.1 of LOC&amp;PAS TSI 1302/2014 except for the value X referred in clause 4.2.9.3.1 (2) of Loc&amp;Pas TSI. The national rule may be accepted if limited to the value of X second.</p>	National rules not accepted, should be modified

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
RST	Other rules related to compatibility with network / legacy system	<u>9.6-Recording device:</u> PRAVILNIK o varnostni opremi tirnih vozil (OSNUTEK) - Priloga 3 13. člen (2) (ostale zahteve) Rok hranjenja vseh zapisov registriranih merilnikov mora biti najmanj 2 leti.	The national rules refers to clause 4.2.9.6 Recording device of LOC&PAS 1302/2014. <b>NSA SI justification :</b> NTR is prepared and in confirmation for TSI and NON TSI vehicles. NSA SI wait for Technical opinion from ERA. <b>Agency :</b> The recording device is covered by LOC&PAS TSI 1302/2014 clause 4.2.9.6 that refers to EN 62625-1:2013, the national rules mentioned requiring a storage at least 2 years is not related vehicle authorisation but relates to operational scope covered by Safety Management System of the Railway undertaking (see TSI OPE 4.2.3.5). The specification of recording device is defined in clause 4.2.9.6 of LOC&PAS (see especially clauses 4.2.1, 4.2.3 of EN 62625-1).	National rules not accepted, should be repealed
CCS	Class B	<u>12.2.1-National on-board signalling systems:</u> PRAVILNIK o varnostni opremi tirnih vozil (OSNUTEK) - Priloga 3 4. člen (delovanje ASN) (1) ASN na podlagi točkovega prenosa podatkov in s točkovnim ali delnim kontinuiranim nadzorom hitrosti za preprečitev nesreč in incidentov samodejno vpliva na vožnjo vlakov ter sproži prisilno zaustavitev vlečnega vozila v primerih, ko strojevodja ne upošteva signalnih znakov pri: - glavnih signalih, ki kažejo signalne znake 1 »Stoj«, 3 »Previdno, pričakuj stoj«, 4 »Prosto, pričakuj omejeno hitrost«, 5 »Omejena hitrost, pričakuj stoj«, 6 »Omejena hitrost, pričakuj prosto ali previdno«, 7 »Omejena hitrost,	The national rules refers to clauses 4.2.6.1 (ETCS and Class B train protection) of CCS TSI. <b>NSA SI justification:</b> NTR is prepared and in confirmation for TSI and NON TSI vehicles. NSA SI wait for Technical opinion from ERA <b>Agency :</b> Is the onboard installation of a class B signalling ATP system mandatory for authorisation in Slovenia? If yes which class B ATP system? Please note that an onboard class B ATP system cannot be mandatory for ETCS equipped line.	National rules not accepted, should be modified

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
		<p>pričakuj omejeno hitrost«, 8 »Omejena hitrost«, 9 »Previdna vožnja« ter pri nerazsvetljenih glavnih signalih.</p> <ul style="list-style-type: none"> <li>- predsignalih, ki kažejo signalne znake 10 »Pričakuj stoj«, 12 »Pričakuj omejeno hitrost« ter pri nerazsvetljenih predsignalih.</li> </ul> <p>(2) Progovni del ASN se lahko vgrajuje tudi za varovanje drugih nevarnih mest na progi.</p> <p>5. člen (elementi ASN)</p> <p>(1) ASN je sestavljena iz:</p> <ul style="list-style-type: none"> <li>- progovne naprave,</li> <li>- naprave, vgrajene na vlečna tirna vozila.</li> </ul> <p>(2) Progovni del ASN vključuje tirne magnetne, ki prenašajo informacije s proge na vlečno vozilo. Sestavljene so iz kombiniranih tirnih magnetov z dvema resonančnima frekvencama 1000 Hz in 2000 Hz ter tirnih magnetov z resonančno frekvenco 500 Hz. Tirni magneti z resonančno frekvenco 500 Hz se vgrajujejo od 150 m do 250 m pred glavnim signalom, ki kaže signalni znak 1 ali 9. Kombinirani tirni magneti z resonančno frekvenco 1000 Hz in 2000 Hz se vgrajujejo pri predsignalih, pri prvem prostornem signalu pred uvoznim signalom (pri preduvoznem signalu), uvoznih signalih, izvoznih signalih na glavnem prevoznem tiru, pri prostornih signalih APB, pri signalih za omejitev hitrosti, signalih za počasne vožnje in signalih za zmanjšanje hitrosti.</p> <p>(3) Del ASN na vlečnem vozilu je sestavljen iz:</p> <ul style="list-style-type: none"> <li>- dveh lokomotivskih magnetov, prirejenih za sprejem informacij od tirnih magnetov (500Hz, 1000Hz in 2000 Hz),</li> <li>- naprave v vozniški kabini (stikala, tipkala, kontrolne lučke, merilnik in regulator hitrosti),</li> </ul>		



Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
		<p>- relejne omare (napetostni pretvornik, generator frekvenc, sprejemnik impulzov, podatkovna spominska enota) in</p> <p>- pnevmatske zavorne skupine.</p> <p>(4) Stikala in tipkala za upravljanje in signalizacijo za prikaz delovanja ASN v vozniški kabini morajo omogočiti in prikazati uporabo funkcij » po nalogu«, »razrešitev« in »potrditev«.</p> <p>6. člen (režim ASN)</p> <p>(1) Odvisno od tipa ASN je možno izbrati različne režime delovanja ASN glede na maksimalno hitrost vlaka ali na podlagi dejanskega zavornega odstotka vlaka.</p> <p>(2) Režim delovanja ASN izbere strojevodja na podlagi podatkov o vrsti vlaka.</p> <p>7. člen (vpliv in delovanje ASN)</p> <p>(1) ASN mora kontrolirati trenutno hitrost vlečnega vozila glede na režim vožnje in vplivati na:</p> <ul style="list-style-type: none"> <li>- zmanjševanje hitrosti vožnje vlakov mimo signalov, ki s signalnimi znaki zahtevajo ustrezno ravnanje,</li> <li>- zaustavitve vlakov pred signali, ki s signalnim znakom prepovedujejo nadaljnjo vožnjo mimo njih.</li> </ul> <p>(2) Delovanje ASN temelji na sprejemu informacij od tirnih magnetov, s pomočjo indukcije na frekvencah 500 Hz, 1000 Hz in 2000 Hz.</p> <p>(3) Vpliv tirnega magneta z resonančno frekvenco 1000 Hz Po prevozu aktivnega tirnega magneta z resonančno frekvenco 1000 Hz pri signalnih znakih 3, 4, 5, 6, 7, 8, 10 in 12 ter pri nerazsvetljenem predsignalu, je potrebno v času štirih sekund pritisniti tipko »potrditev«, sicer se aktivira</p>		

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
		<p>prisilno zaviranje. S pritiskom na tipko »potrditev« prične teči časovni krajevni nadzor hitrosti vlečnega vozila.</p> <p>Po pritisku tipke »potrditev«, je potrebno glede na izbran režim vožnje začeti z zmanjševanjem hitrosti tako, da je dejanska hitrost vlaka pred potekom nadzorovane poti ali časovne kontrole enaka ali manjša od mejne hitrosti, sicer pride do aktiviranja prisilnega zaviranja.</p> <p>(4) Vpliv tirnega magneta z resonančno frekvenco 500 Hz Pri prevozu aktivnega tirnega magneta z resonančno frekvenco 500 Hz, kjer je vgrajen, mora biti hitrost vlaka, odvisno od režima vožnje, manjša od mejne hitrosti. Glede na izbrani režim vožnje je potrebno zmanjševati hitrost tako, da je ta na krajevnem nadzoru hitrosti manjša od mejne hitrosti. V primeru, da se hitrost ne zmanjša v skladu s prejšnjo zahtevo, se aktivira prisilno zaviranje.</p> <p>Pri ASN tipa I 60 R in LZB 80E/PZB 90 je vpliv 500 Hz aktiven 250 m po prevozu tirnega magneta in ni možnosti razrešitve.</p> <p>(5) Vpliv tirnega magneta z resonančno frekvenco 2000 Hz Pri prevozu aktivnega tirnega magneta z resonančno frekvenco 2000 Hz, ki se uporablja za zaustavitev vlaka po nedovoljenem prevozu glavnega signala, ki kaže signalni znak 1 ali 9 oziroma je nerazsvetljen, se sproži trenutno in brezpogojno prisilno zaviranje.</p> <p>Vožnja mimo signala, ki kaže signalni znak 1 ali 9 oziroma je nerazsvetljen je izjemoma dovoljena, ob uporabi tipkala »vožnja po nalogu«. Postopek za nadaljevanje vožnje in hitrost vlaka po uporabi tipke »vožnja po nalogu«, določi upravljavec.</p> <p>8. člen (izklop ASN) (1) ASN mora biti izklopljena:</p>		

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
		<p>- pri premiku z vlakovno lokomotivo na kretničnem območju, ki traja več kot 30 minut,</p> <p>- na vlakovni lokomotivi, če je na čelu vlaka priprežna lokomotiva,</p> <p>- na doprežni lokomotivi,</p> <p>- na vlečnih enotah z motorji z notranjim zgorevanjem in električnih vlečnih enotah na vseh motornih garniturah, razen na prvi v smeri vožnje,</p> <p>- pri vzdrževalnih delih na zaprtem tiru.</p> <p>9. člen (registracija in arhiviranje podatkov ASN)</p> <p>(1) Delovanje avtostop naprav na vlečnem vozilu mora biti registrirano, ne glede na tip in način delovanja. Zapisi morajo omogočati poznejšo kontrolo delovanja.</p> <p>(2) Registrirati se morajo podatki o vključenosti, načinu delovanja, vseh vplivih progovnega dela na ASN vlečnega vozila, ravnanju z napravo in vplivu na vožnjo.</p> <p>(3) Pregledane zapise je treba arhivirati najmanj dve leti.</p> <p>10. člen (ravnanje prevoznika in upravljavca z ASN)</p> <p>(1) Prevozniki in upravljavec si v svojem SVU predpišejo postopke in roke vzdrževanja ASN vsak za svoj del naprave.</p> <p>(2) V priročniku za strojevodjo prevoznik ali upravljavec za vsako vlečno vozilo predpiše:</p> <ol style="list-style-type: none"> <li>1. postopek vnosa podatkov v centralno enoto ASN,</li> <li>2. izbor režima vožnje v odvisnosti od dejanskega zavornega odstotka ali največje hitrosti vlaka ali podatke, ki jih strojevodja vnese v centralno procesno enoto ASN za izbor režima pred pričetkom vožnje,</li> <li>3. preglednice in zavorne diagrame za posamezni tip ASN in vlečno vozilo, iz katerih je razvidno zahtevano uravnavanje hitrosti vlaka v posameznih režimih vožnje ter aktivnih tirnih</li> </ol>		

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
		magnetih z resonančno frekvenco 500, 1000 ali 2000 Hz glede na časovno in krajevno kontrolo hitrosti, 4. signalizacijo delovanja ASN na krmilnem pultu, 5. ravnanje pri vključenem startnem programu in njegovi razrešitvi, 6. ravnanja po prevozu tirnega magneta za nadzor hitrosti z resonančno frekvenco 1000 Hz pri signalnih znakih 3, 4, 5, 6, 7, 8, 10 in 12 ter pri nerazsvetljenem samostojnem predsignalu, 7. ravnanja za razrešitev po aktiviranju prisilnega zaviranja, 8. postopek ravnanja v primeru okvare ASN.		
RST/CCS	ETCS and GSM-R	<u>12.2.4-Compatibility of rolling stock with CCS Trackside:</u> 925 DN15 - Delovno navodilo upravljavca za obratovanje evropskega varnostnega sistema za nadzor vlakov (ETCS Level 1) - Priloga 4 Poglavje 4 OPERATIVNA NAČELA IN PRAVILA SISTEMA ETCS Nivo 1	The national rules refers to clauses 4.2.6.1 (ETCS and Class B train protection) of CCS TSI. <b>NSA SI justification:</b> none <b>Agency :</b> National rules cannot be notified to parameter 12.2.4 that is a heading and not a RDD parameter. The document cannot be used to notify National rule for vehicle authorisation ; this document contains : <ul style="list-style-type: none"> <li>- Chapter 1 definition</li> <li>- Chapter 2 : ETCS description , lines in service in SL and border station description</li> <li>- Chapter 3 : lineside signalling description</li> <li>- Chapter 4 : operational principle , not for Vehicle authorisation</li> </ul> In addition, Chapter 3.4.1 “pantograph handling signals” and 3.4.2 “Main switch handling signals” : the Agency understand it as a description of the	National rules not accepted, should be repealed

Subsystem	Distribution of remaining rules	National rules	Examination of national rules leading to a negative assessment	Agency assessment status
			<p>lineside signaling signal but it is also said that an icon shall be displayed in ETCS DMI. Nevertheless, it is also said that “No additional balises.The icon will be displayed on the DMI.” (signals “SZ35,SZ36,SZ37,SZ38;SZ39,SZ40) . This is not clear because to display track condition information on the ETCS DMI, it shall be announced by a balise (packet 68) in advance. Please clarify the meaning of the display in this context.</p>	