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system without frontiers.

## *Annex III to TO 2026-8*

### *Operations and traffic management system TSI*

### *Acceptable means of compliance on safety of passengers*

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The present document is a non-legally binding opinion of the European Union Agency for Railways. The purpose of this document is to define ways of establishing compliance with the essential requirements of the relevant EU legislation. It 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.

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# Part 1

## 1.1. Introduction

RUs and IMs shall manage their operations and the traffic among others in accordance with the TSI OPE.

According to Article 2(33) of the Directive on the interoperability of the rail system within the European Union (Directive (EU) 2016/797, as amended), Acceptable Means of Compliance (AMOCs) are “non-binding opinions issued by the Agency to define ways of establishing compliance with the essential requirements”. Therefore, AMOCs define good practices also by referring to available standards, which the actors of the railway sector can use in their safety management system as evidence that their operational procedures comply with high-level requirements set out in EU legislation (in this case the TSI OPE and the Common Safety Method on requirements for safety management systems – CSM on SMS (Commission delegated Regulation (EU) 2018/762).

## 1.2. Legal basis

The basis for the development of AMOCs is the TSI OPE, and more precisely section 4.4.3 which gives the Agency the possibility to define AMOCs by means of technical opinions<sup>1</sup>.

This AMOC covers the topic “safety of passengers”.

The AMOC itself constitutes a non-legally binding opinion and its use is strictly voluntary.

## 1.3. Concept

As a general concept, the RUs and/or IMs are responsible to manage their specific operational and traffic management requirements in their SMS.

Article 4(1) (d) Railway Safety Directive (Directive (EU) 2016/798) states as follows:

*“With the aim of developing and improving railway safety, Member States, within the limits of their competences shall:*

*d) ensure that the responsibility for the safe operation of the Union rail system and the control of risks associated with it is laid upon the infrastructure managers and railway undertakings, each for its part of the system, obliging them to:*

*(i) implement necessary risk control measures as referred to in point (a) of Article 6(1), where appropriate in cooperation with each other;*

*(ii) apply Union and national rules;*

*(iii) establish safety management systems in accordance with this Directive”.*

Article 4(3) (a) and (b) of the Railway Safety Directive states as follows:

*“Railway undertakings and infrastructure managers shall:*

*a) implement the necessary risk control measures referred to in point (a) of Article 6(1), where appropriate in cooperation with each other and with other actors;*

*b) take account in their safety management systems of the risks associated with the activities of other actors and third parties;”*

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<sup>1</sup> In accordance with Article 10 of Regulation (EU) 2016/796.

The same concept has been detailed in the CSM on SMS, ANNEX I Point 3.1.1.1 (for RUs) and ANNEX II point 3.1.1.1 (for IMs):

According to these provisions, the organisation shall:

- a) identify and analyse all operational, organisational and technical risks relevant to the type, extent and area of operations carried out by the organisation. Such risks shall include those arising from human and organisational factors such as workload, job design, fatigue or suitability of procedures, and the activities of other interested parties (see Annex I, Section 1. Context of the organisation);
- b) evaluate the risks referred to in point (a) by applying appropriate risk assessment methods;
- c) develop and put in place safety measures, with identification of associated responsibilities (see Annex I, Section 2.3. Organisational roles, responsibilities, accountabilities and authorities);
- d) develop a system to monitor the effectiveness of safety measures (see Annex I, Section 6.1. Monitoring);
- e) recognise the need to collaborate with other interested parties (such as railway undertakings, infrastructure managers, manufacturer, maintenance supplier, entity in charge of maintenance, railway vehicle keeper, service provider and procurement entity), where appropriate, on shared risks and the putting in place of adequate safety measures;
- f) communicate risks to staff and involved external parties (see Annex I, Section 4.4. Information and communication).

Therefore, it is the responsibility of RUs and/or IMs to identify, assess, eventually mitigate, monitor and review continually their own operational risks.

Based on that, the AMOC is a proposed way addressed to the RUs and/or IMs to demonstrate compliance with the TSI OPE as a mean to manage operational risks, taking into account that the provisions of the TSI OPE cover the entire operational and traffic management subsystem, whilst every single RU or IM manages only part(s) of the subsystem.

RUs and/or IMs should in compliance with the EU and national legal requirements define their operational context and consequently they should identify the risks occurring in their activities.

Then, on a voluntary basis, RUs and IMs, acting accordingly to the cooperation agreement they have, are free to assess and decide for themselves whether an AMOC is applicable to the part of the subsystem they are supposed to manage each their parts of the agreed risk mitigation measures. An AMOC could be entirely or partially applicable to the RU's and or IM's operational context, for example an RU could be involved in the freight transport, but without the transport of dangerous goods, whilst an AMOC could deal with both.

If an RU and/or IM evaluates an AMOC as applicable to the operational context and decides to use it, the RU and/or IM should assess the risks the AMOC could cover within the operational activities to be performed. For example, initially and according to the applicable legislation, risks relating to inadequate tests and checks should be identified and mitigated – then the relevant part of the good practice in the AMOCs should be cross-referenced with the risk in the RU's and/or IM's' risk assessment processes. This should regularly be kept up to date as part of the monitoring activities for their operations.

As AMOCs are non-binding opinions issued by the Agency to define ways of establishing compliance with the essential requirements, the RUs and/or IMs are free to decide whether to apply the AMOC/part of the AMOC, or not. Nevertheless, the RUs and IMs are responsible for managing their operational risks.

AMOCs should be accepted throughout the EU by Member States and National Safety Authorities as examples of good practice.

According to TSI OPE point 4.4.2 and Appendix I, national rules<sup>2</sup> on the defined AMOC topics are generally not permitted. Therefore, if a Member State (MS) and/or a NSA/ or any other entity requires an RU and/or IM to comply with additional national requirements, then that MS or NSA or the other entity will have to provide, in line with Article 8 of Railway Safety Directive, evidence as to why their national requirements provide a higher degree of risk control than that set out in the AMOC. However, AMOCs are not national rules and if a RU and/or IM decides not to apply the AMOC and develop their own processes, it may do this and does not have to prove that its processes are as good or better than the good practice set out in the AMOC but it should ensure that its processes are adequate in controlling/mitigating the risks that it has identified.

As a result, the substantiated use of this AMOC should be taken into consideration by the Agency or the NSAs when an RU and/or IM applies for a safety certificate or authorisation, when the certification body assesses compliance of the applicant with the requirements of the CSM on SMS and the TSI OPE.

The certification body will check the sufficiency of the RU's and/or IM's processes in controlling the risks and will check how the AMOC is used, if it is the case, by assessing the risk assessment process of the RU and/or IM to ensure that the AMOC good practice has been identified as a relevant control measure for the identified risk.

#### 1.4. Responsibility

Each RU and/or IM remains responsible for how this AMOC is used in their SMSs. They should ensure that they can identify the risks for which the AMOC provides control. The AMOC should not just be included in the SMS without the RU and/or IM justifying its use through their risk management procedures and their document management system.

Each RU and/or IM should analyse which part of the AMOC is applicable to its operational context and determine, based on the outcome of a risk assessment, how the AMOC or part of it should be integrated into its own SMS.

The Agency is not responsible for how the AMOC is used. It is particularly important that when the RU and/or IM use this AMOC, return of experience and/or information resulting from accidents and incidents investigations is considered to ensure that the content of the AMOC remains relevant and up to date.

The Agency should be informed of any return of experience which should be used to update the AMOC.

The majority of this AMOC is specifically applicable for RUs and how they ensure the safety of passengers. Additionally, some details of this AMOC may cover part of the interface with the IM.

There are other areas of responsibility in relation to the design of the vehicles, the maintenance of the vehicles and exchange of information (Entities in Charge of maintenance – ECMs) and the planning of the route (communication between the RU and IM) which are not included but need to be managed by those with the relevant responsibilities.

#### 1.5. List of acronyms used in this text

- AMOC: Acceptable Means of Compliance
- ATTI: Agreement on freight Train Transfer Inspection
- CSM: Common safety method
- ECM: Entity in Charge of Maintenance
- ERA: European Union Agency for Railways or the Agency
- EU: European Union
- FOP: Fundamental Operational Principles

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<sup>2</sup> With the meaning of Article 8 of Directive (EU) 2016/798.

- GCU: General Contract of Use for Wagons
- IM: Infrastructure Manager
- NSA: National Safety Authority
- RU: Railway Undertaking
- SMS: safety Management System
- TSI: Technical Specification for Interoperability
- TSI OPE: Technical Specification for interoperability relating to the operation and traffic management subsystem (Commission Implementing Regulation (EU) 2019/773)
- UIC: Union Internationale des Chemins de fer
- VDV: Verband Deutscher Verkehrsunternehmen

## Part 2

### 1.1. Introduction to the relevant part of the TSI OPE

Section 4.2.2.4.2. of the Annex of the TSI OPE on *Safety of passengers* states that the RU “shall ensure that passenger transport is undertaken safely at the departure and during the journey”.

### 1.2. Information on the scope of the AMOC

This AMOC provides guidance for RUs and other involved actors, such as IMs, on preventing the risk to passengers that may arise during the boarding or leaving a train or during other operations (train departure, train journey, people standing on the platform etc.). The issue of the correct platform length for the length of the train is an interface to be managed between the RU and IM.

Competence and responsibility for undertaking the tasks are not covered in this AMOC, they should be covered as part of the RU’s SMS. These topics should also include any risks and control measures that are part of the RU’s strategy on human and organisational factors.

This AMOC does not cover items such as health & safety of passengers on stations, , slips and trips at the station and platform, and cross over with other TSI’s (INF, PRM, Loc&Pas).

Technical issues in relation to vehicles are also not covered. The difference between TSI Compliant vehicles or existing non-TSI compliant vehicles which are permitted on the network are not discussed in this AMOC. For example, external door opening or closing should rely on the technical solution specified in the relevant TSIs. However, for non-TSI compliant vehicles operational solutions that adequately manage the risk is also acceptable. It is for the RU to decide how these risks are managed.

In individual Member States, the responsibility for the information provided on stations to the passengers that may either be for the RU or IM. This is not covered in this AMOC but should be considered by the appropriate party in their SMS including the sharing of information on risks.

In relation to dealing with any emergency situation, this should be taken forward by both the IM and RU in accordance with the requirements in Regulations 2018/762 and 2019/773.

This AMOC covers the following stages:

- Boarding and leaving the train;
- Train departure;
- Train Journey;
- Arrival of train (including not at a platform and end of service);
- End of service;
- Coupling or decoupling of vehicles
- Safe alighting and evacuation of passengers outside of a platform

### 1.3. Links to existing legislation on risk assessment

#### **Fundamental operational principle (FOP)**

The fundamental operational principle most relevant to the activity of safety of passengers is FOP 3:

***“Before a train begins or continues its journey, it shall be ensured that passengers, staff and goods are carried safely.”***

This principle concerns the train and its readiness for starting or continuing a movement and therefore ensuring that the safety of passengers is considered.

#### **Risk assessment**

The safety management system operational process shall cover how the safety of passengers will be ensured.

##### ***Requirement 5.1.3 of Annex I to Regulation 2018/762 states:***

*“To control risks where relevant for the safety of operational activities (see 3.1.1. Risk assessment), at least the following shall be taken into account:*

- (c) preparation of trains or vehicles before movement, including pre-departure checks and train composition;*
- (d) running trains or movement of vehicles in the different operating conditions (normal, degraded and emergency);”*

##### ***Requirement 5.1.3 – ANNEX II to Regulation 2018/762 states:***

*“To control risks where relevant for the safety of operational activities (see 3.1.1. Risk assessment), at least the following shall be taken into account:*

- (c) real-time traffic management in normal mode and in degraded modes with the application of traffic restrictions of use and the management of traffic disruptions;*
- (d) setting of conditions for running exceptional consignments;”*

Information from the output of the risk assessment should set out how the safety of passengers is ensured before it commences its operation and, secondly, that the safety of the passengers will continue to be safe throughout the journey. It should include information for staff involved in train despatch if they are part of the RU's or IM's staff or other staff including the driver and on-board staff. This information should form the basis of the SMS processes, procedures and instructions for staff.

The RU and/or IM is responsible for integrating this AMOC into its own SMS by the mean of its risk management procedures.

### 1.4. Examples of good practice

The following Annex sets examples of elements of good practices that can be taken into account by the RU, and IM if the case, as evidence of compliance with the TSI OPE. It is not an exhaustive list; therefore the good practice should be integrated with additional requirements resulting from risk analysis performed by all involved actors for the parts of system under their responsibility.

# ANNEX

## 1. Boarding and leaving a train

Safety requirements:

- Avoid conditions which may lead to falling into the gap between the train and the platform in the boarding area of the train;
  - Prevention from hazards caused by closing external doors;
  - Prevention of hazards caused by moving steps;
  - Prevention of hazards caused by ramps or lifts;
  - Train should not be moved when external doors are open;
  - Prevention of hazards to passengers leaving the train on the wrong side;
  - External doors should be opened on the correct side(s).
1. Boarding and leaving the train at scheduled stops, should both take place at standstill.
  2. The horizontal and vertical gap between the platform and the steps may vary depending on the configuration of the platform and the type of train. Where there is a risk of a potential fall between the train and the platform, the RU, in accordance with the arrangements set out in an operational risk assessment, should inform passengers of such particularities.
  3. In order to guard against the risk of falling out of the train, when it is at standstill, the RU should ensure the closure and, if the train permits, the locking of the external doors. The external doors should be closed before train departs according to the provision defined in the relevant TSIs.
  4. When designing and adapting a service, the determination of train composition by the RU should incorporate the length of the platforms of the stations served.
  5. The length of each train should, as far as possible, be compatible with the usable length of the platforms served, so that passengers can safely board or leave. If the train is longer than the platform, the following measures should, for example, be implemented:
    - deletion of a regular stop; and/or
    - A possible closure to part of the train. Staff on the platform, train crew, passengers should be informed that parts of the train are not usable; and/or
    - on board and audio announcement in order to explain the passengers which external doors are to be used for boarding or leaving the train; and/or
    - Ensure that those doors with no access to the platform, cannot be opened by the passengers during normal operation.
  6. Where, exceptionally, the operating conditions do not permit the above requirements to be met, the measures described in the section on **Coming to a standstill outside a platform** should be such as to ensure passenger safety (see also points 4 and 7, paragraph 2).
  7. In order to prevent hazards of a passenger falling from a train, and where technical equipment is fitted, the RU should ensure the following:
    - close the external doors before departure and keep those closed when a train with passengers is moving or stopped in a place where passengers services are not foreseen;
    - if the external doors are fitted with a door locking device as defined in the relevant TSIs, those doors should be locked before departure and keep locked when a train with passengers is moving or stopped in a place where passengers services are not foreseen;
    - all doors that are not to be used by the passengers are to be closed and maintained closed for the whole journey;

- make sure that the train boarding aids are blocked and in their secured position;
8. When the IM in charge of traffic management exceptionally needs to change the scheduled platform to a shorter one that cannot take the entire train, the IM should inform the RU in order to allow them to take the appropriate action.
  9. Operational procedure for on-board staff should include conditions for taking care of persons with reduced mobility for boarding and leaving the train.

## 2. Train departure

Safety requirements:

- Prevention from hazards caused by closing external doors.
  - Prevention of hazards caused by moving steps.
  - Avoid conditions which may lead to falling into the gap between the train and the platform in the boarding area of the train.
  - External doors control and command system, as defined by the relevant TSIs, when present, should be active and effective.
  - The train is in the good running order and all the necessary checks and tests have been carried out.
1. The external doors should be closed before departure and those should be kept closed when a train with passengers is moving.
  2. If the external doors are fitted with a door locking device as defined in the relevant TSIs, those doors should be locked before departure and kept locked when a train with passengers is moving.
  3. Before the train departs, the attention of passengers should be drawn to the impending closing of the external doors and their departure by:
    - an audible announcement inside and outside the train, according to the relevant TSIs; and/or
    - an acoustic and/or light device installed on the platform or on board when defined by the relevant TSIs; and/or
    - a member of staff authorising the departure who draws the attention of passengers and train staff by for example a whistle.
  4. The RU's SMS operational procedures should specify the specific measures to be taken in the event of degraded situations, non-compliant composition, etc.
  5. If passenger information signs are used in the coaches, these should be visible to the passengers. If passenger announcements and/or audible messages are used, these should be able to be clearly heard.
  6. For trains with accompanying staff, before giving the authorisation for departure, the side external doors should be closed. However, in respect of certain types of trains, the door of the accompanying staff may remain open as long as it is necessary for operational reasons.
  7. For a driver only operation, the RU should define appropriate operational procedure to be used before starting the train, including the use of technical devices as defined by the relevant TSIs. If technical devices are not available, the RU should consider as part of their risk assessment the appropriate procedure to be taken, such as a visual check, etc.
  8. For all passenger trains, the operating conditions to be fulfilled before departure are as follows:
    - closing the external doors (and where possible locked);
    - authorisation to move is issued or transmitted to the driver;

- it is the scheduled time to depart, except when allowed to start before the scheduled time.
9. In case there are malfunctioning external doors, those doors should be protected and should remain protected for the whole journey, passengers and staff should be informed (for example by announcement and/or by a visual indicator). The train should have sufficient functioning doors to ensure the safety of the passenger service.
  10. On some platforms, good visibility of passengers boarding and leaving is not possible. This includes curved platform, obstacles hampering visibility, multiple access to platforms, etc. In these situations, the RU should carry out a risk assessment of the situation and formalise specific operational procedures to be implemented.
  11. Operational procedures for on-board staff should include conditions for taking care of persons with reduced mobility for boarding and leaving the train.

### 3. Train journey

Safety requirements:

- External doors should be kept closed and or locked while running;
  - Prevention of hazards caused by moving steps;
  - Prevention of hazards to passengers falling out of the train;
  - Prevention of hazard to passengers leaving by external doors opening outside of a platform (e.g. for shorter usable length of platform);
  - Controlling of risks linked associated to a fire or explosion on board, e.g. due to the transport and charging of batteries by passengers.
1. The external doors should be closed before departure and those should be kept closed during the entire journey.
  2. If the external doors are fitted with a door locking device as defined in the relevant TSIs, those doors should be locked before departure and kept locked during the entire journey.
  3. In the event of danger, passengers should be able to alert staff who are in charge on the train. These staff should be able, if necessary, to bring the train to a stop, and provide and/or arrange passenger assistance and undertake necessary evacuation measures if this is needed.
  4. The RU should define the operational procedure to be applied by on-board staff to ensure the safety of passengers when exceptional circumstances do not permit normal operation.
  5. Each RU should manage within their operational procedures the following issues:
    - accommodating passengers with reduced mobility;
    - opening of the external doors in an emergency to allow passengers to evacuate;
    - external doors should only be opened to allow passengers to leave/board when the train is within a platform;
    - informing passenger when only part of the train is in service;
    - risks associated to fire and/or explosion and/or release of toxic substances on board due to the transport and/or the connection of devices to the on-board electrical network by passengers. A distinction should be made between small and big devices in terms of electrical power needed.

### 4. Arrival of train (including not at a platform)

Safety requirements:

- Prevention of hazards to passengers leaving the train on the wrong side;
- Each RU should ensure that the train length or the external doors to be opened are compatible with the technical parameters of the infrastructure (TSI OPE Appendix D1).

- Prevention of hazard to passengers leaving by external doors opening outside of a platforms (e.g. for shorter usable length of platform);
  - Prevention of hazards to passengers caused by moving steps;
  - Prevention of hazards to passengers falling out of the train;
  - Avoid conditions which may lead to falling into the gap between the train and the platform in the boarding area of the train;
  - Prevention of hazards to passengers being injured during coupling and uncoupling;
  - Check of the train at the end of service to ensure that there are no passengers still on the train.
  - Within the framework of their responsibilities both the RU and the IM should ensure that, passengers only board and leave the train at designated locations and measures are taken in case of a stopping problem (i.e. the train external doors are not all aligned with the platform).
1. The RU should have specific operational procedures to deal with any changes to the usable length of the platform, as communicated to the RU, which can affect the safety of passengers. Relevant information should then be provided to the passengers.
  2. Where it is necessary to move passengers through the coaches, the RU should as part of its operational risk assessment have operational procedures for the relevant staff. This should include an acoustic announcement or a passenger information system installed in the coaches.
  3. The RU should ensure that passenger trains stop at the designated marker point of a platform, or even at the end of the platform if necessary, thereby ensuring that all carriages are at the platform when the usable platform length is sufficient.

## 5. End of service

Safety requirements:

- to avoid passenger being left in a parked and locked train, opening the external door with the emergency handle and for example stepping out on a track with traffic.
1. In order to ensure that no passengers are present in the train, the following should be carried out:
    - closing external doors;
    - inspecting the train, for example by walking through the train or by having a confirmation by the on board cameras;
    - issuing of announcements in the train (repeat if possible);
    - provision of information on the display or other means of indicating that the train does not take passengers.
    - extinguishing internal train lighting, if possible.

## 6. Coupling or decoupling of vehicles

Safety requirements:

- To control the hazard to passengers of having sharp movements during coupling and uncoupling operations.

The RU risks assessment should consider the measures necessary to ensure the safety of passengers when coupling/decoupling vehicles.

Examples of measures to be considered are:

1. Information in the form of voice announcements could be made to passengers.
2. Closing external doors on either side of the train.

## **7. Safe alighting and evacuation of passengers outside of a platform**

With regards to point 4, the good practices in this point apply for a train that comes to a stop outside a platform, this includes stops outside the usual points of service, if evacuation is needed.

Safety requirements:

- Prevention of unauthorised and unsecured alighting of passengers outside of a platform;
- Prevention of hazards to passengers falling out of the train when alighting outside of a platform;
- Prevention of hazards to passengers due to the moving of the train while alighting outside of a platform;
- Prevention of hazards to passengers in or near the tracks during the evacuation of passengers from the location of alighting outside of a platform to the designated safe location of this evacuation (e.g. a nearby platform, a level crossing, an emergency exit in a tunnel);
- Prevention of hazards to passengers while walking, or being moved in case of persons with reduced mobility, on railway domain not designed for passenger movement (e.g. hazards linked to the railway infrastructure like slippery sleepers, power supply equipment, cable slits);

Any alighting and evacuation of passengers outside of a platform should be avoided if possible, e.g. by means of:

- moving passengers through the coaches in order to leave the train by an external door at the platform;
- moving or repositioning the train in a coordinated way with the signaller in order to allow passenger movement by means of a platform.
- by transferring passengers directly to another train on an adjacent track;
- by transferring passengers to a part of the train set which can continue the journey, followed by a decoupling from the failed part of the train set which will remain stationary and secured;
- by downhill coasting, in accordance with the train's movement authorisation, to reach a nearby platform when the gradient is favourable.

When the alighting and evacuation of passengers outside of a platform cannot be avoided, RUs should provide instructions to their on-board staff (i.e. the driver), taking into account the procedure in place on a network to ensure a safe alighting and evacuation of passengers, in particular the provisions in place for coordinating such operations with IM staff (i.e. the signaller), in particular:

RU on-board staff (e.g. the driver) should:

- keep the external doors closed and, if possible, locked until it is safe to start the alighting and evacuation of passengers;
- instruct passengers not to attempt to alight from the train;
- take immediate action in case of any unauthorised alighting, e.g. by means of an emergency call to alert drivers and the signaller;
- inform the signaller on the necessity to alight outside of a platform, specifying the location where

passengers will need to alight;

- in collaboration with the signaller, define the evacuation route from the location of alighting to the designated safe location (e.g. a nearby platform, a level crossing, an emergency exit in a tunnel), in order to interrupt railway operations in this area, taking into account the terrain as well as conditions like the weather and remaining daylight;
- ensure passenger comfort awaiting the alighting, in order to prevent any unauthorised alighting;
- request for assistance by additional RU staff and/or emergency services if necessary, e.g. for the evacuation of persons with reduced mobility or for dedicated technical means to alight safely;
- inform passengers on the timing of alighting and how to alight safely when authorised to do so;
- not start any alighting and evacuation until passenger safety has been ensured in accordance with the procedure in place on a network (e.g. confirmation from the signaller that railway operations have been interrupted and no train will pass in the area from the location of alighting to the designated safe location)
- follow the instructions given by the signaller when applicable;
- ensure that the train remains at standstill during the alighting and evacuation, until having received authorization from the signaller to restart once the evacuation has ended;
- assist passengers during the alighting and evacuation;
- inform the signaller when the evacuation has ended and railway operations may resume.

IM staff (i.e. the signaller) should apply the relevant SMS procedure (s).