<table>
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<th>#</th>
<th>N°</th>
<th>Reference (e.g. Art. 6)</th>
<th>Type</th>
<th>Reviewer</th>
<th>Reviewer's Comments, Questions, Proposals</th>
<th>Reply</th>
<th>Proposal for the correction or justification for the rejection</th>
<th>Organisation</th>
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<tr>
<td>1</td>
<td>1</td>
<td>7.2.2.2 7.2.2.3</td>
<td>M</td>
<td>CER</td>
<td>As UK has been deleted in the title of these specific cases, corresponding references should also be deleted in the accompanying text.</td>
<td>A</td>
<td></td>
<td>CER</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>Appendix B, C1, C2</td>
<td>G</td>
<td>CER</td>
<td>It is the train which has to be stopped (by the driver), and not the driver who has to stop.</td>
<td>NWC</td>
<td>Page breaks are only inserted between consecutive Appendices.</td>
<td>CER</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
<td>Appendix A 4.2 Table 2 line ETCS stop marker*</td>
<td>M</td>
<td>CER</td>
<td>The possibility for a driver to leave the cab should not be an ETCS rule, we think it would suit more in App. B2.</td>
<td>A</td>
<td></td>
<td>CER</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>Appendix A 3.2</td>
<td>P</td>
<td>CER</td>
<td>The current text could lead - especially in the translation - to the misinterpretation that a driver without release speed would be allowed to overpass an EoA:</td>
<td>A</td>
<td></td>
<td>CER</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>Appendix A 5.1.10</td>
<td>U</td>
<td>CER</td>
<td>The conditions for an OBU to enter SL mode and the resulting technical effect of this mode are already described in the Generic ETCS Driver's Handbook. The proposed addition to rule 6.2 &quot;Preparing a movement&quot; is meant for the operational context of SL mode, in coherence with the other cases under that rule. A slave engine can become a leading one at any time during a train run (e.g. when a dual trainset is split in an intermediate station to follow two different destinations). The proposed rule serves to make clear when and how a driver is allowed to exit SL mode when the operational need arises.</td>
<td>R</td>
<td></td>
<td>CER</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
<td>Appendix A 5.1.11</td>
<td>U</td>
<td>CER</td>
<td>The current text could lead - especially in the translation - to the misinterpretation that a driver without release speed would be allowed to overpass an EoA:</td>
<td>R</td>
<td></td>
<td>CER</td>
</tr>
<tr>
<td>7</td>
<td>7</td>
<td>Appendix A 6.2.5</td>
<td>G</td>
<td>CER</td>
<td>The conditions for an OBU to enter SL mode and the resulting technical effect of this mode are already described in the Generic ETCS Driver's Handbook. The proposed addition to rule 6.2 &quot;Preparing a movement&quot; is meant for the operational context of SL mode, in coherence with the other cases under that rule. A slave engine can become a leading one at any time during a train run (e.g. when a dual trainset is split in an intermediate station to follow two different destinations). The proposed rule serves to make clear when and how a driver is allowed to exit SL mode when the operational need arises.</td>
<td>R</td>
<td></td>
<td>CER</td>
</tr>
</tbody>
</table>
Appendix A

The reference to the 2022 updated version is missing in the cover page of Appendix A in OPE TSI core text. The reference to previous NWC Appendix A CER

Appendix A

CER

Appendix A

P

CER

Formatting of the revised text should be adapted so that all bullets corresponding to "If DAS information is available on board:" are correctly displayed below as sub-topics.

Proposed formatting:
- If DAS information is available on board:
  - may follow the target advice speed when displayed on the DMI
  - may coast when is displayed
  - may respect the stopping points (if indicated
  - may request a stopping point to be skipped if instructed and this option is available on the DMI
  - may operate the doors when invited to do so by relevant DMI indications

Proposed: The list is already indented as proposed in the comment, yet it does not appear so in track-change mode (likely a MS Word visualisation issue).

CER

Appendix A

P

CER

Proposal:
- ... When a signaliser is informed about poor adhesion conditions, he shall activate the ETCS reduced adhesion function, where possible, and if this is not possible he shall inform all drivers of current and subsequent trains in the affected area. Take measures as prescribed by the infrastructure manager, until normal operation is restored.

A

Appendix A

P

CER

Since the movement backwards can be decided by the driver, there are in cases where there are no instructions given by the signaliser.

Proposal: [...] The driver shall move the train / shunting movement backwards following any instructions possibly given by the signaliser.

R

Appendix A

M

CER

The reference to the 2022 updated version is missing in the cover page of Appendix A in OPE TSI core text. The reference to the previous version 5 issued on 09/04/2019 should be replaced.

NWC

Appendix A

G

CER

ERA and EC commitment to include the Appendix A in the core text of OPE TSI Annex A shall be enforced.

This is in particular important to further ensure that the translation of Appendix A by the EC legal service takes place before publication instead of previous publications managed directly by ERA for such an independent ERA technical document published on ERA website only.

NWC

Appendix A

U

CER

Manual change of data required for train running number shall be treated by the driver in similar conditions than manual change of data required for the driver identification, i.e. in both cases "while at standstill or, if allowed by national value, while running"

Proposal: [...] if a change is required, the driver shall enter/modify and validate:
- the train running number while at standstill or, if allowed by national value, while running

R

Appendix A

M

CER

Current text: "the driver shall switch off the main power switch, taking into account the position of the pantographs"

The first symbol mentioned in 6.22 shows an announcement signal ("stands at half braking distance before switch-off signal") and informs the driver that he must switch off his traction unit after this section taken into account the position of the pantographs. The current wording is subject to possible misinterpretations and should be corrected.

NWC

Appendix A

M

CER

Supported merge of both "Level 2" and "Level 3" should be transposed into Appendix A for consistency with the CCS TSI.

Although the merge of both levels makes sense from a technical point of view – as 95% of the functions are identical – a re-naming as proposed ("Level RT") would lead to administrative burdens and an important impact on Human and Organisational Factors (HOF). The costs for changing all documents, manuals, training-material etc. and the knowledge-update of the staff are expected to be high without ANY financial benefit.

CER calls for the definition of a pragmatic editorial solution e.g. "Level 2+"

NWC

Appendix A

M

CER

Missing reference to RMR and ATO need to be added. It could be clarified that RMR corresponds to FRMCS and/or GSM-R. It could be also be clarified that the RMR/FRMCS is not used nor analysed in the 2022 version of the OPE TSI. The RMR/GSM-R as a radio communication is the only one considered in the 2022 version of the OPE TSI.

NWC

Appendix A

G 4.2 Table 3

M

CER

Mandatory change of the data required for the train running number shall be treated by the driver in similar conditions than manual change of data required for the driver identification, i.e. in both cases "while at standstill or, if allowed by national value, while running"

Proposal: [...] if a change is required, the driver shall enter/modify and validate:
- the train running number while at standstill or, if allowed by national value, while running

R

Appendix A

M

CER

For TSI 2022, App. A will be integrated into the OPE TSI core text, so no need to quote the OPE TSI publication data on the front page of App. A. The version number will however be quoted separately for easier traceability.

CER

Appendix A

G

CER

For the Train Running Number, the SRS stipulate that it is always not allowed to change it while running, i.e. this action is not configurable by means of a national value.

As a general principle, no harmonised operational rule shall restrict a flexibility that is offered by the technical specifications.

Removing this possibility in Appendix A is therefore not acceptable. Regulating this possibility through a harmonised operational rule would also go against the principle of responsibility split between IM-RU; whether this operation incurs a risk should be up to the RU to assess (and restrict its use accordingly), not the IM.

NWC

Appendix A

M

CER

Current text: "the driver shall switch off the main power switch, taking into account the position of the pantographs"

The first symbol mentioned in 6.22 shows an announcement signal ("stands at half braking distance before switch-off signal") and informs the driver that he must switch off his traction unit after this section taken into account the position of the pantographs. The current wording is subject to possible misinterpretations and should be corrected.

NWC

Appendix A

M

CER

Comment not clear. The announcement icon and marker board in this rule indicate the approach to a section that shall be passed with the main switch off. To do this in a safe way, the driver shall operate the switch before the train's pantographs reach the concerned section.

This course of actions is already reflected in the current wording.

CER

Appendix A

M

CER

Supported merge of both "Level 2" and "Level 3" should be transposed into Appendix A for consistency with the CCS TSI.

Although the merge of both levels makes sense from a technical point of view – as 95% of the functions are identical – a re-naming as proposed ("Level RT") would lead to administrative burdens and an important impact on Human and Organisational Factors (HOF). The costs for changing all documents, manuals, training-material etc. and the knowledge-update of the staff are expected to be high without ANY financial benefit.

NWC

Appendix A

G 4.2 Table 3

M

CER

Missing reference to RMR and ATO need to be added. It could be clarified that RMR corresponds to FRMCS and/or GSM-R. It could be also be clarified that the RMR/FRMCS is not used nor analysed in the 2022 version of the OPE TSI. The RMR/GSM-R as a radio communication is the only one considered in the 2022 version of the OPE TSI.

NWC

Appendix A

G 4.2 Table 3

M

CER

Any content that was previously extracted for this document is not provided.
Since there has been continuous work with the document after the release of the public consultation, Trafikverket's standpoints on the later versions of the document, will be in accordance with the standpoints sent by EIM.

Item ‘Pantograph’ (Number of pantographs in contact with the overhead contact line):

The data to be compared is in the format [number of pantographs] [distance] [speed]. However, it is unclear what the result is if both speed and distance values differ.

Example: RINF data: [2] [40] [120] and ERATV data: [2] [36] [80]

In this example the pantographs are closer together than trackside allows, but the train speed is also lower. It is suggested to change the wording to indicate that the stopping distance of the train at either the line speed or the maximum train speed allowed also results in a shorter stopping distance of the train.

Proposal: same meaning to be written within three sentences instead of bullet points:

- when running without an MA unless he has received a specific authorisation by the signaller.
- indicating the EoA of the current MA when a release speed indication is displayed on the DMI, or
- when running without an MA the driver shall stop at any ETCS Stop Marker unless he has received a specific authorisation by the signaller.

Proposal: Same meaning to be written within three sentences instead of bullet points:

- when running with a MA the driver shall stop at approach of the ETCS Stop Marker indicating the EoA.

This rule is meant to define the operational purpose of the Location Marker, i.e. to mark the exact physical location of the EoA. The driver’s task to follow the EoA indicated on the DMI needs not be repeated here. The existing wording of the rule is the result of long discussions. The alternative proposal does not add to its clarity.

Item ‘Braking’ (Emergency braking and maximum service brake):

This check explicitly prescribes to compare the stopping distance at the “design maximum speed” of the train with the maximum braking distance allowed by trackside. This is stated in both the 2nd and 6th column of the table. It is not understood what is the logic behind the line speed may be lower than the train design maximum speed. A lower trackside speed allowed also results in a shorter stopping distance of the train.

Proposal: When running without a MA the driver shall stop at any ETCS Stop Marker unless he has received a specific authorisation by the signaller.

The alternative proposal does not add to its clarity.

What can such “non-harmonised trackside information” be other than an (active) lineside signal or a (passive) marker board? All possible sources of trackside information fall under one of these two categories.
Point 4.2.1.2.1 of the Annex OPE TSI sets out the requirements for the preparation of the train driver's rule book, which shall consist of the set of common rules and procedures (taking into account the contents of Appendices A, B, C and D). Given that Class B signaling systems are still in use in many countries and their operational principles and rules do not fall within the scope of the TSI, we propose that when using Class B signaling systems, the train driver's rule book must also indicate the operational principles and rules for such systems.

In point 4.2.1.2.1 of the Annex OPE TSI also specifies that the train driver's rule book shall specify the procedures that shall cover, as a minimum, the following aspects:
- Staff safety and security,
- Signal control and command,
- Operation of the train including degraded mode,
- Traction and rolling stock,
- Incidents and accidents.

In our view, these aspects are too general, therefore, it is necessary to extend these aspects, detailing and specifying what they should cover, e.g.
- Incidents and accidents - including the incident reporting scheme, the emergency management plan and the detailed actions to be taken by the train crew in the event of an accident.
- Traction and rolling stock, including braking procedures, actions before, during and after the journey and so on.

In our view, OPE TSI should specify all the requirements only apply to trains and do not apply to special rolling stock, single locomotives as well as freight trains under non-standard conditions, e.g. driving on an irregular railway track, pushing a group of wagons, and so on. In our view, OPE TSI should specify all variants for the marking of trains, including other rolling stock, also running them under non-standard running conditions. Also, we would like to ask to set a new specific case next to section 7.2.2.1 of the OPE TSI or in LOC&PAS TSI (please, see our proposals for LOC&PAS TSI as well). We kindly ask you to let us know if the separate form for this request should be filled out. During the cleaning up process of the OPE TSI, we propose that when using Class B signaling systems, the train driver's rule book must also indicate the operational principles and rules for such systems.

In our view, OPE TSI sets out the requirements for the marking of the front and rear of the train. It should be noted that these requirements only apply to trains and do not apply to special rolling stock, single locomotives as well as freight trains under non-standard conditions, e.g. driving on an irregular railway track, pushing a group of wagons, and so on. In our view, OPE TSI should specify all variants for the marking of trains, including other rolling stock, also running them under non-standard running conditions. Also, we would like to ask to set a specific case next to section 7.2.2.1 of the OPE TSI or in LOC&PAS TSI (please, see our proposals for LOC&PAS TSI as well). We kindly ask you to let us know if the separate form for this request should be filled out. During the cleaning up process of the OPE TSI, we propose that when using Class B signaling systems, the train driver's rule book must also indicate the operational principles and rules for such systems.

This change proposal would need to be discussed with a Working Party and cannot be introduced at this stage of the revision for the TSI package 2022. A change request can be created to initiate that discussion for a future revision.
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<thead>
<tr>
<th>Page</th>
<th>Reference</th>
<th>Owner</th>
<th>Text</th>
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<tbody>
<tr>
<td>39</td>
<td>Point 4.2.2.4 of the Annex</td>
<td>Ministry (LT)</td>
<td>In point 4.2.2.4 of the Annex, OPE TSI establishes the general principle that loads must be securely lashed and remain so throughout the journey. The additional recommendations detail the need for risk analysis and implementation of general cargo handling principles to ensure the safe transport of cargo. In our view, these provisions are not sufficient to ensure the safe transport of goods. Given the different experiences of railway undertakings, in the absence of competencies regulation of the undertakings which load and secure the cargo, it should be noted that for each type of load, specific means must be developed for their attachment, based on mathematical calculations, assessing the stability of the load and the dynamics of movement. In view of the different types of freight transport in the countries, we propose to provide for an exemption allowing the parties to set requirements for the securing of goods if necessary.</td>
</tr>
<tr>
<td>40</td>
<td>Point 4.2.3.6.2 of the Annex</td>
<td>Ministry (LT)</td>
<td>This change proposal would need to be discussed with a Working Party and cannot be introduced at this stage of the revision for the TSI package 2022. A change request can be created to initiate that discussion for a future revision.</td>
</tr>
<tr>
<td>41</td>
<td>Appendix A, 3.2, page 10</td>
<td>Emile Maarten</td>
<td>Proposal to remove the three sentences on page 10. They are not in line with the EoA being the end of a MA where the target speed is zero, as defined in section 4.2 of Appendix A and in Subset 026 (version 3.6.0) section 3.8.1.1.b. Furthermore these sentences do not provide any additional information as the possibility of an EoA located at markerboards is already identified in table 2.</td>
</tr>
<tr>
<td>42</td>
<td>Appendix A, 4.1, page 11</td>
<td>Emile</td>
<td>Is the EN-19464:2023 already available? If not, it seems odd to use it as a reference here.</td>
</tr>
<tr>
<td>43</td>
<td>Appendix A, 5.1.10 and 5.1.11, page 19</td>
<td>Emile Maarten</td>
<td>These proposed additions to 5.1.10 and 5.1.11 are welcomed and considered essential to make it possible to properly adhere to these rules (otherwise it is not clear when a stop marker is &quot;indicating&quot; an EoA) and to prevent undesired behavior leading to lower capacity on short block, high density lines (when drivers are tempted to align their braking in order to come to a stop at one stop marker too early).</td>
</tr>
<tr>
<td>44</td>
<td>Appendix A, 6.2.4, page 23</td>
<td>Emile Maarten</td>
<td>Proposal to limit the permission to use Override EoA exclusively to European Instruction O1. The new text &quot;If EU7 that allows an SMB to be passed, the driver is allowed to pass it using the override function ...&quot; makes European Instruction O7 more ambiguous and increases the chance of using Override EoA when this was not permitted. Also, in many cases also when starting in SR it is not necessary to use Override EoA as Baseline 3 allows sending balise lists that can be passed without the need for Override EoA. In other words: it is not always required nor wanted to use override EoA when the driver has an authorisation to pass an SMB. As a consequence, authorising the use of Override EoA based on European Instruction O7 is unsafe as it kills a mitigation to stop a train in SR passing an SMB at a wrong location. I.e. when the balise group at this location is not contained in the SR BG list the train will not be tripped due to the Override function. If the Override function is required to pass the SMB this shall separately be identified, a possibility is to use European Instruction O1 if the override function is required. See also 6.4.1.2 where European Instruction O1 is used instead of European Instruction O2.</td>
</tr>
<tr>
<td>45</td>
<td>Appendix A, 6.2.4, page 23</td>
<td>Emile</td>
<td>Proposal to remove the possibility for allowing multiple uses of Override EoA based on a single European Instruction. Override EoA disables most of the train protection that ETCS offers and should only be used when necessary, and in such a way that the chance for human error is minimized. Executing multiple Override EoA's based on a single European Instruction will lead to significantly higher changes of human failure than the use of a single European Instruction for a single use of Override EoA.</td>
</tr>
</tbody>
</table>

This change proposal would need to be discussed with a Working Party and cannot be introduced at this stage of the revision for the TSI package 2022. A change request can be created to initiate that discussion for a future revision.
This has been considered as a trivial driver's task, not requiring a driver to pass the EOA by applying (rule "authorising the passing of an EOA" (section 6.39) when all conditions for the route have been met, which might take some time. Proposal to change: ‘proceed in the opposite direction. No order is required. All the other instructions are obvious to proceed in an opposite direction. Propose the signaller to order the driver to execute End of Mission.

Note that in general, a train driver does not need a European Instruction to execute an End of Mission. In most cases, it will not be necessary for the signaller to order the driver to execute End of Mission by means of European Instruction 3 after making traffic arrangements, the signaller may use European Instruction 3 to keep the trains at standstill and to delete any MA remaining onboard if required."

In some cases, it might not be necessary to explicitly order a train to remain at standstill. It is proposed to let the signaller decide for himself whether a European Instruction 3 is required. So instead of: "Once the train is at a standstill and before making traffic arrangements, the signaller shall order the driver to remain at a standstill by means of European Instruction 3 or other available means and to delete any MA remaining onboard if required" it is proposed to state: "Once the train is at a standstill and before making traffic arrangements, the signaller may use European Instruction 3 to keep the trains at standstill and to delete any MA remaining onboard if required."

In case of route unsuitability, the infra manager and affected railway undertaking will typically consult each other to decide how to handle this train. At least in the Netherlands, it is not up to the signaller to decide on his own how to handle this incident.

Although the proposed definition of EoA indicates that this rule also applies to situations in which an ETCS stop marker needs to be passed by a train in without an MA (usually in SR mode), it is still advisable to make it explicit in this rule that it is also intended for this situation in which a train without an MA has to pass an SMB."

In some cases, it might not be necessary to explicitly order a train to remain at standstill. It is proposed to let the signaller decide for himself whether a European Instruction 3 is required. So instead of: "The signaller shall order the driver to remain at standstill and to perform End of Mission by means of European Instruction 3." it is proposed to state: "The signaller may use European Instruction 3 to keep the train at standstill and to perform End of Mission if required."

Replace 'shall switch off the main power switch' and 'shall keep the main power switched off' with 'shall not apply traction power'. This allows the railway undertaking to define how a train driver should achieve this. In some countries, train drivers do not switch off the main power, but rather refrain from applying traction power. This leads to a shorter time of driving without traction power and to a positive effect on travelling time i.e. capacity.

The existing wording already offers to the signaller the possibility to use EI 3, if another means is available. The alternative wording proposed does not safeguard that the train will finally be ordered to remain at standstill.

The existing wording covers this course of actions as well. It is understood that each of the two main actors [signaller and driver] will communicate with their respective back offices to coordinate this (normally very seldom) operational situation.

Comment not understood. Rule 6.39 applies only when the train does not have an MA allowing it to pass the EoA. When in possession of an MA, rules 6.12, 6.13 and 6.15 apply instead.

The existing wording already offers to the signaller the possibility to use EI 3, if another means is available. The alternative wording proposed does not safeguard that the train will finally be ordered to remain at standstill. Concerning 6.41.3, the signaller shall anyway issue EI 3 to keep the train at standstill, so ordering the EoM can be easily achieved by ticking the respective box.

The proposed change would make the text incoherent. It can also be argued that even the digital notification will be coordinated by the signaller, thereby being consistent with the existing wording.

Concerning the second proposal, the wording has in the meantime been amended further to accommodate more generic operational procedures: "[...] and if this is not possible he shall take measures as prescribed by the RM, until normal operation is restored."
<table>
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<th>Page</th>
<th>Appendix</th>
<th>Section</th>
<th>Author</th>
<th>Changes</th>
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<tbody>
<tr>
<td>57</td>
<td>A, 6.58, page 67</td>
<td>P</td>
<td>Maarten</td>
<td>Why is this section required? This failure is already covered by the clause in appendix B.15: Failure of on-board equipment. The railway undertaking shall determine the cases in which a failure of an on-board equipment affects the running of the train. Section 6.58 does not add anything to this clause. Proposal to delete 6.58.</td>
</tr>
<tr>
<td>58</td>
<td>A, 6.58, page 67</td>
<td>P</td>
<td>Maarten</td>
<td>This rule regarding TMS failure also applies when starting in LNTC, L0, L1, and L2 areas as the train may enter a L3 area at a later time. Proposal: all levels shall be identified in the 'level' box.</td>
</tr>
<tr>
<td>59</td>
<td>A, 7.11, page 70</td>
<td>P</td>
<td>Emile</td>
<td>In busier networks, forced deregistration by a train driver could have serious consequences for traffic management. It is proposed to remove the second bullet. In that case the signaller can still request the other party to register based on rule 7.4.</td>
</tr>
<tr>
<td>60</td>
<td>C2, 3</td>
<td>U</td>
<td>Emile</td>
<td>The added sentence 'In case of verbal communication of a European instruction, the signaller shall only read out the first and second identifier figure of every field. Where a third identifier figure also exists, its field qualifier will be read out instead.' is hard to interpret. It is advised to add an example to assure identical interpretation.</td>
</tr>
<tr>
<td>61</td>
<td>C2, 6</td>
<td>P</td>
<td>Emile</td>
<td>In this section it is stated that: &quot;This &quot;x&quot; may only be replaced by the number of the European instruction when transmitting this instruction digitally.&quot; There seems to be no clear reason however why the identifier should not have an &quot;x&quot; identifier when transferred digitally. It would be possible to replace the &quot;x&quot; with the actual European Instruction number when a European Instruction is used in operational context, but in this case it would make sense to also do so in verbal communication. Proposal to remove this statement, or to allow replacing the x with the actual European Instruction number in all cases.</td>
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<tr>
<td>Page</td>
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<tr>
<td>62</td>
<td>C2, 6</td>
<td>P</td>
<td>European Instruction fields 1.20 and 2.11 (proceed in SH) seem to have an identical meaning. If this is not intended, then it would be better to more clearly define the difference between the two fields. If an identical meaning is intended, then it is proposed to rename both fields 'x.20'.</td>
<td>R</td>
</tr>
<tr>
<td>63</td>
<td>C2, 6</td>
<td>P</td>
<td>It seems odd that European Instruction 2 does have the fields x.90/x.91/x.92 for examining the line, while European Instructions 1 and 7 do not have this option. It does make sense to limit these fields to these European Instructions that result in driving under restrictions (European Instruction 5, 6, 9) but that would imply that these fields x.90/x.91/x.92 should be removed from European Instruction 2. If it is intended to provide these fields in European Instruction 2, than one would also expect them in European Instruction 1 and 7.</td>
<td>A</td>
</tr>
<tr>
<td>64</td>
<td>C2, 6</td>
<td>P</td>
<td>European Instruction 3 offers a new field 3.20: 'Delete the available MA'. This seems to be a different action than EoM, as that is referred to in field 3.15. But which action should the driver perform based on this field? Should the driver use Override EoA? In that case it seems better to make this explicit.</td>
<td>R</td>
</tr>
<tr>
<td>65</td>
<td>C2, 6</td>
<td>P</td>
<td>In the format for European Instructions, the fields 5.67 and 5.68 seem intended to indicate if the speed restrictions are also visible on lineside signalling. These fields could also be interpreted however as the instruction to observe lineside signalling, which is probably not intended. Proposal to change the text above 5.67 and 5.68 to 'Speed restriction also indicated by lineside boards'.</td>
<td>A</td>
</tr>
<tr>
<td>Page</td>
<td>Row</td>
<td>Appendix</td>
<td>Language</td>
<td>Author</td>
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<tr>
<td>66</td>
<td>7</td>
<td>C2, 6</td>
<td>P</td>
<td>Emile</td>
</tr>
<tr>
<td>67</td>
<td>8</td>
<td>C2, 6</td>
<td>P</td>
<td>Emile</td>
</tr>
<tr>
<td>68</td>
<td>9</td>
<td>D3</td>
<td>G</td>
<td>Emile</td>
</tr>
<tr>
<td>69</td>
<td>1</td>
<td>TSI OPE, Art 4.4.3 and 4.2.1.3.2</td>
<td>M</td>
<td>NSA SE</td>
</tr>
<tr>
<td>70</td>
<td>2</td>
<td>TSI OPE, Art 4.4.3 and 4.2.1.3.2</td>
<td>U</td>
<td>NSA SE</td>
</tr>
<tr>
<td>71</td>
<td>3</td>
<td>TSI OPE, Art 4.4.2.2</td>
<td>U</td>
<td>NSA SE</td>
</tr>
<tr>
<td>72</td>
<td>4</td>
<td>TSI OPE, Appendix D3, Note 3</td>
<td>M</td>
<td>NSA SE</td>
</tr>
<tr>
<td>79</td>
<td>1</td>
<td>Appendix B 18</td>
<td>G</td>
<td>Denis Garnier</td>
</tr>
</tbody>
</table>
It is proposed to add the text "or using any other available means" to the end of point (1) below. Furthermore, in particular:

(1) Any driver made aware of a danger to their train shall stop as soon as it is safe to do so and alert the signaller immediately to the danger using the emergency call or using any other available means.

(2) Any signaller made aware of a danger shall alert all drivers as appropriate through an emergency call or using any other available means.

The last sentence in this paragraph was added: "Whenever the signaller needs to issue an operational instruction for which a European instruction exists, the signaller shall use this European instruction."

In the TSI OPE WP this was briefly explained as follows: "Section 1 – last paragraph that was added in the proposal: The WP asked for the clarification of the scope of this sentence. It was indicated that in some countries specific national instructions for class B systems are already in use. ERA informed that in cases where national instruction covers additional aspects than already included in EI, such national instruction may be used. In case all national fields are covered by EI, EI needs to be used."

In our opinion this is not a good reason to add this sentence, certainly not on this place in the text. At the beginning of C2, section 1 there is already "Railway undertakings and infrastructure managers shall use European instructions in the communication procedure in the following cases: n°1 to n° 9" and further in the text there is also "The use of the European instructions numbers 1-5 and 7 are is mandatory for ETCS, in accordance with the rules of the Appendix A". This all together makes it very confusing. Please take these 3 sentences together and explain once when which instruction (European or national) is mandatory to use, and when they are not.

We have a concern with the following sentence: "the way of delivering each operational instruction, including whether it is allowed to be written down by the driver while running", especially the last underlined part of this sentence.

In the guidance of the TSI OPE, page 67, the following is explained: "In principle when it is necessary for an operational instruction to be written down by the driver while running, the train must be at standstill. However, the RU and IM may jointly undertake a risk assessment, which could, as a result, define the conditions under which it is safe to deviate from this principle. The results of this risk assessment should set out the controls necessary (i.e. procedures) in the SMS of the IM and RU, which will ensure safe operation." The main principles for when and how to use the EIs are listed under App. C2. All operational actors (esp. signallers and drivers) are expected to know these (each party (IM/RU) shall ensure that its concerned staff will be trained on the use of the EIs). The "guidance" in question is essentially the "user instructions" appearing at the bottom of each EI. These instructions were present in the former ERTMS Written Orders (part of the OPE App. A until version 4) but were removed from the EIs when these were introduced under Reg. 2019/773.

These instructions are now reinstated in the enhanced EIs. Yet, they need not appear on the actual forms used by the signallers and drivers and they will certainly not be read out when transmitting the EI (this is to be understood by "the guidance is not part of the communication procedure").

We have a concern with the following sentence: "the way of delivering each operational instruction, including whether it is allowed to be written down by the driver while running", especially the last underlined part of this sentence.

In the guidance of the TSI OPE, page 67, the following is explained: "In principle when it is necessary for an operational instruction to be written down by the train driver, the train must be at standstill. However, the RU and IM may jointly undertake a risk assessment, which could, as a result, define the conditions under which it is safe to deviate from this principle. The results of this risk assessment should set out the controls necessary (i.e. procedures) in the SMS of the IM and RU, which will ensure safe operation." We therefore think the added sentence is not clear enough, in case the reader doesn’t read the guidance of the TSI OPE. We would thus like the underlined part of the sentence above to be removed from the TSI OPE (and possibly moved to the guidance). It is important that every party that is making decisions about how the instructions should be delivered understands that, for safety reasons, in principle, when it is necessary for an operational instruction to be written down by the train driver, the train must be at standstill.

We have a concern with the following sentence: "the way of delivering each operational instruction, including whether it is allowed to be written down by the driver while running", especially the last underlined part of this sentence.

In the guidance of the TSI OPE, page 67, the following is explained: "In principle when it is necessary for an operational instruction to be written down by the train driver, the train must be at standstill. However, the RU and IM may jointly undertake a risk assessment, which could, as a result, define the conditions under which it is safe to deviate from this principle. The results of this risk assessment should set out the controls necessary (i.e. procedures) in the SMS of the IM and RU, which will ensure safe operation."
<table>
<thead>
<tr>
<th>No.</th>
<th>Requirement</th>
<th>Category</th>
<th>Impact</th>
<th>Notes</th>
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<tbody>
<tr>
<td>102</td>
<td></td>
<td>NSA Belgium</td>
<td>R</td>
<td>The last (underlined) part of the last sentence of section 8 was added. &quot;These shall be collected by the railway undertaking and given to the driver. It is recommended that railway undertakings operating in more than one IM network provide to the driver the generic forms of the European instructions, even when some fields are not used by some infrastructure managers on the networks of which the railway undertaking will operate.&quot; We do not agree with the added part and therefore we would like to have this underlined part removed. Arguments: 1) it is up to the RU to make a risk assessment regarding to their specific situation. Then the RU can take risk based decisions about the way they want provide information to their train drivers. 2) in a legislative wording &quot;it is recommended&quot; adds nothing.</td>
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<tr>
<td>103</td>
<td></td>
<td>NSA Belgium</td>
<td>A</td>
<td>Please add a cross in de column &quot;train level&quot;. There are some limitations in number of vehicles (so on train level) for some train detection systems.</td>
</tr>
<tr>
<td>104</td>
<td></td>
<td>NSA Belgium</td>
<td>A</td>
<td>Note 3 says: &quot;Item 7 lists the minimum set of ETCS National Values required to be made available to the railway undertakings. Infrastructure managers shall also provide upon request to a railway undertaking the complete set of National Values, e.g. to serve as default values for ETMS/ETCS on-board units operating locally.&quot; We think this &quot;7&quot; is a mistake. There should be &quot;1.5&quot;.</td>
</tr>
<tr>
<td>105</td>
<td></td>
<td>NSA Belgium</td>
<td>A</td>
<td>There is no explanation in this appendix about the way the IM should provide the information to the RU's. Will the IM be able to choose the way of communication of this information to the RU's? Maybe it is a good idea to clarify this in de guidance?</td>
</tr>
<tr>
<td>106</td>
<td></td>
<td>NSA Belgium</td>
<td></td>
<td>For several European instructions in the published OPE TSI 2018/773 we have found problems with translations. The French terminology of the following EIs is not the good translation: a. Formulations that are not adapted to the formulations for the languages used in Belgium, such as: i. IE 6 : there is « Obligation de marcher à vue » , there should be « Obligation de circuler en marche à vue » Explanation: &quot;Marche à vue&quot; is a noun in French used as title of COR n° 9. &quot;Marcher à vue&quot; is currently not an existing word as a verb in French, but rather &quot;circuler en marche à vue&quot; is used in French. Therefore we would prefer that the title of Ellie is changed (in the same way as used in the first sentence of COR n°9). ii. IE 2, 5, 6 and 9 field x.50 : there is « Présenter ses conclusions à » there should be « Faire part de ses constatations ». b. Formulations that do not fully correspond to the formulations in English, such as: UIE 7 there is: « Autorisation de se mettre en marche en SR après préparation d’un mouvement de train » , there should be « Autorisation de se mettre en marche en SR après la préparation du mouvement ». c. IE 7 field 7.20 : there is « Est autorisé à franchir une fin d’autorisation de mouvement à » , there should be « est autorisé à franchir une ELo a… ». I would like to inform you that we have had a discussion with the French NSA on this matter, and we agree with their proposals.</td>
</tr>
<tr>
<td>111</td>
<td></td>
<td>PH Appendix D3</td>
<td>A</td>
<td>Added</td>
</tr>
<tr>
<td>112</td>
<td></td>
<td>PH</td>
<td>A</td>
<td>Assumption is correct. &quot;7&quot; referred to a former numbering of this list. Error corrected to &quot;1.5&quot;</td>
</tr>
<tr>
<td>121</td>
<td></td>
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<td></td>
<td>Add in the rule 6.55.2, the following symbols for skipping the stop point of the document ERA_ETMS_O15560 v3.6.4: • Skip Stopping Point Inactive: ATO_17.bmp • Skip Stopping Point requested by ATO: ATO_18.bmp • Skip Stopping Point requested by driver: ATO_19.bmp The symbols would be according with the ETCS Driver Machine Interface document already included in Annex A of CCS TSI.</td>
</tr>
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<td>Rule</td>
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<td>Comment</td>
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<tr>
<td>122</td>
<td>Rule 6.55.2 (point 3)</td>
<td>Add the following symbols to the end of the rule 6.55.2: &quot;AOT_10.bmp AOT_11.bmp AOT_12.bmp AOT_13.bmp AOT_14.bmp AOT_15.bmp AOT_16.bmp. It is according to the similar procedure as rule 6.20. This rule helps to avoid misunderstandings in oral communication.&quot;</td>
<td></td>
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<tr>
<td>131</td>
<td>TSI OPE, incl. App A ....</td>
<td>As proposed in the previous public consultation, the section about reports and phasing out should be deleted/updated as they point at things in the past.</td>
<td></td>
<td></td>
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<tr>
<td>132</td>
<td>4.2.2.1.3.2 rear end signal (Freight trains)</td>
<td>As the requirement for quality (safety) of transmission varies depending on the meaning and effect of the content, the content of a transmission should be categorised and assigned to a procedure depending on its importance. A possible categorisation may be for instance: (no concrete text proposal): - informative (informing). - acknowledgement-required (acknowledge) or - protocol-required (logging). This proposal may need further discussions in the future before implementing in App. C of TSI OPE.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>133</td>
<td>App B / B1</td>
<td>Add a new number 3.3 (or in another way): &quot;Messages are to be formulated logically and positively.&quot; This rule helps to avoid misunderstandings in oral communication.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>134</td>
<td>App C / general</td>
<td>&quot;Notwithstanding the above provision, a European instruction n° 3 can also be revoked by a European instruction n° 1, 2, 7 or 8 without requiring a dedicated European instruction n° 4. Our proposal is to add El no 8 (&quot;... European instruction no 1, 2, 7 or 8 without...&quot;). In case of an accident or an unclear situation at a level crossing it may be necessary to issue an EI no 3. After clarification of the situation it may be that an El no 8 has to be issued. In this case, it should also be possible to go without El no 4. El 8 cannot be assumed to provide a permission for movement. If this assumption would be accepted, then other Els (e.g. El 5, 6 or 9) could also be considered to provide a permission for movement, given the wording “run”. Els 5, 6, 8 and 9 are meant to define the modalities for a movement, not the permission to start it, which is rightfully a much stricter instruction. If the train needs to be authorised to restart after being stopped before a LX via a EI 3, then either EI 4 (if the driver is still in possession of some movement authority, technical or operational, allowing him/her to proceed) or EI 1 (if the driver does not have a movement authority to continue) can be used.</td>
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<td></td>
</tr>
<tr>
<td>135</td>
<td>App C1 / 3 (communication rules)</td>
<td>Add as a new number 3.3 (or in another way): &quot;Messages are to be formulated logically and positively.&quot; This rule helps to avoid misunderstandings in oral communication.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>136</td>
<td>App C2 / 2 (last paragraph)</td>
<td>&quot;Notwithstanding the above provision, a European instruction n° 3 can also be revoked by a European instruction n° 1, 2 or 7 without requiring a dedicated European instruction n° 4. Our proposal is to add El no 8 (&quot;... European instruction no 1, 2, 7 or 8 without...&quot;). In case of an accident or an unclear situation at a level crossing it may be necessary to issue an EI no 3. After clarification of the situation it may be that an El no 8 has to be issued. In this case, it should also be possible to go without El no 4. El 8 cannot be assumed to provide a permission for movement. If this assumption would be accepted, then other Els (e.g. El 5, 6 or 9) could also be considered to provide a permission for movement, given the wording “run”. Els 5, 6, 8 and 9 are meant to define the modalities for a movement, not the permission to start it, which is rightfully a much stricter instruction. If the train needs to be authorised to restart after being stopped before a LX via a EI 3, then either EI 4 (if the driver is still in possession of some movement authority, technical or operational, allowing him/her to proceed) or EI 1 (if the driver does not have a movement authority to continue) can be used.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>137</td>
<td>Core TSI OPE - 4.2.2.1.3.2.</td>
<td>The sections about reports and phasing out should be deleted/updated as they point at things in the past.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>138</td>
<td>Core TSI OPE - Appendix A</td>
<td>Should point at the correct version of the document if this is not included in the core TSI as mentioned.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>139</td>
<td>Core TSI OPE - Appendix B2 rule 18</td>
<td>It is a pity that the text is limited to a station. For Denmark, we don't have stations and the principle is used for all trains entering an occupied section all over the network. In addition there is not one common definition of a station in Europe. Proposal to change to: Entering an occupied track section</td>
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<td>Core/Appendix</td>
<td>Type</td>
<td>Section/Rule</td>
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<tr>
<td>140</td>
<td>Core TSI OPE - Appendix C2 point 6</td>
<td>P</td>
<td>1</td>
<td>Last paragraph says: “The infrastructure manager and the railway undertaking may add guidance on how to fill in and read the forms of the European instructions, under the condition that this guidance is not part of the communication procedure.” Should be operational instructions instead of European instructions at the forms have to be filled in and read?</td>
</tr>
<tr>
<td>141</td>
<td>Core TSI OPE - Appendix C2</td>
<td>M</td>
<td>1</td>
<td>The old European instructions should be deleted.</td>
</tr>
<tr>
<td>142</td>
<td>Core TSI OPE - Appendix D1 (first box)</td>
<td>P</td>
<td>1</td>
<td>Should the reference to the United Kingdom of Great Britain and Northern Ireland be deleted?</td>
</tr>
<tr>
<td>143</td>
<td>Appendix A - 5.2</td>
<td>P</td>
<td>1</td>
<td>Proposal to delete 5.2 as this will not influence the numbering.</td>
</tr>
<tr>
<td>144</td>
<td>Appendix A</td>
<td>G</td>
<td>1</td>
<td>When referring to other rules sometimes the name of the starts with a capital letter (6.14 and 6.57) and sometimes not.</td>
</tr>
<tr>
<td>145</td>
<td>Appendix A - 6.14</td>
<td>P</td>
<td>1</td>
<td>Current proposal: in ETCS level 1 without trackside signals; in ETCS level 2 without trackside signals; and in ETCS level 3, when approaching the next ETCS stop marker, inform the signaliser and apply Rule “Authorizing the passing of an EoA” (section 6.39) unless already authorized to pass this ETCS stop marker by means of a European instruction. The stopping of the train is missing. Proposal: in ETCS level 1 without trackside signals, in ETCS level 2 without trackside signals, and in ETCS level 3, when approaching the next ETCS stop marker, stop at the ETCS stop marker, inform the signaliser and apply Rule “Authorizing the passing of an EoA” (section 6.39) unless already authorized to pass this ETCS stop marker by means of a European instruction.</td>
</tr>
<tr>
<td>146</td>
<td>Appendix A - 6.29</td>
<td>M</td>
<td>1</td>
<td>Slippery rail is written with first capital letter and then without.</td>
</tr>
<tr>
<td>147</td>
<td>Appendix A - 7.6</td>
<td>P</td>
<td>1</td>
<td>Should the rule referred be 8.3?</td>
</tr>
<tr>
<td>148</td>
<td>Core TSI OPE</td>
<td>G</td>
<td>EIM OPE</td>
<td>The updated Application Guide version 6 for this draft TSI OPE 2022 for public consultation is not yet available, though it may contain very important clarifications of this TSI OPE 2022. In order to ensure that the content of this Application Guide will match with the amended rules in the final TSI OPE 2022, we would like to have the opportunity to review this Application Guide before its publication.</td>
</tr>
<tr>
<td>149</td>
<td>Core TSI OPE (p. 16) / Section 4.2.2.1.3.2</td>
<td>G</td>
<td>EIM OPE</td>
<td>Section 4.2.2.1.3.2 of the current TSI OPE (EU) 2019/773 has been amended by Regulation (EU) 2021/2238 of 15th December of 2021 regarding the rear end signal of a freight train, but the draft TSI OPE 2022 for public consultation has not yet been amended in accordance to this Regulation (EU) 2021/2238.</td>
</tr>
<tr>
<td>150</td>
<td>Core TSI OPE (p. 42) / Section 7.2.2.2</td>
<td>M</td>
<td>EIM OPE</td>
<td>While Northern Ireland has been deleted in the title, it is still present in the rule itself.</td>
</tr>
<tr>
<td>151</td>
<td>Core TSI OPE (p. 42) / Section 7.2.2.3</td>
<td>M</td>
<td>EIM OPE</td>
<td>While the United Kingdom has been deleted in the title, it is still present in the rule itself.</td>
</tr>
<tr>
<td>152</td>
<td>Core TSI OPE (p. 44) / Appendix C2</td>
<td>M</td>
<td>EIM OPE</td>
<td>The reference to the Appendix A for ERTMS in the draft TSI OPE 2022 for public consultation has not yet been amended to the future version 6 of this Appendix A to the future TSI OPE.</td>
</tr>
<tr>
<td>Page</td>
<td>Section</td>
<td>Type</td>
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</table>
| 153  | 6.41.1  | Immediate measures | The driver shall stop on the approach to an ETCS Location Marker:  
- indicating the EOA of the current MA when a release speed indication is displayed on the DMI, or  
- when running without an MA if he has received a specific order by the signaller.  
If it is technically allowed to have an EOA at an ETCS location marker without having a release speed indicated on the DMI, the future App. A 6 of the TSI OPE 2022 should take this technical possibility into account instead of excluding it. Therefore, we propose to alter the wording in the section 5.1.11 of App. A v5.11 as indicated in blue:  
- indicating the EOA of the current MA even when a release speed indication is not displayed on the DMI, or  
- when running without an MA if he has received a specific order by the signaller.  
| 154  | 6.34.2  | Immediate measures | The actions defined in App. A rule 6.41 are more effective than the generic provisions of App. B2 rule 14. For instance, although covered by the generic wording of App. B2 rule 14 “any other action as necessary to avoid harm or loss”, it is effective than the generic provisions of App. B2 rule 14. The proposed amendment would over-complicate the rule without bringing any added value. |
| 155  | 5.1.11  | Immediate measures | The driver shall stop on the approach to a ETCS Location Marker:  
- when a release speed indication is displayed on the DMI, or  
- when running without an MA if he has received a specific order by the signaller.  
Given in the OPE TSI 2022 the full App. A (ver. 6) will be integrated into the TSI OPE body text and will consequently be translated into all European Languages. |
| 156  | 6.41.1  | Immediate measures | The driver shall apply Appendix B2 Rule 14. |
| 157  | 6.41.1  | Immediate measures | The actions defined in App. A rule 6.41 are by consequence focused on this particular situation and as such they are more effective than the generic provisions of App. B2 rule 14. For instance, although covered by the generic wording of App. B2 Rule 14 “any other action as necessary to avoid harm or loss”, it is too far-reaching to assume that moving backwards in the mode Post Trip is the exact action the driver will perform when applying this rule. Not applying this action can however be safety-critical. Furthermore, even without referring to App. B2 rule 14 from App. A rule 6.41, the signaler will be eventually notified (under App. A 6.41.1 and App. A 6.41.1.a and b.). The signaler will then apply App. B2 rule 14 anyway, since the conditions for this will be met (danger to trains).
### 6.59 MANAGING AN ODOMETER FAILURE

**Levels 0, 1, R, NTC**

When the following text message is displayed: "odometer impaired" the driver shall apply Appendix B2 rule 15.

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### 11. AUTHORISATION TO PASS A SIGNAL SHOWING A STOP ASPECT/INDICATION

The driver of the train concerned shall have authorisation to pass a signal showing stop aspect/indication. When giving authorisation, the signaller shall give the driver any instructions concerning the movement.

The driver shall:
- run on sight if the permission has been given by means of European Instruction No 1, unless exempted from doing so, and
- apply the instructions and shall not exceed any speed restriction, where one is imposed, until reaching the location where the normal operation may be resumed

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### 14. REPORTING A DANGER TO TRAINS

Any railway undertaking/infrastructure manager staff who become aware of a danger to trains shall take immediate action to stop any trains which may be affected, alert the signaller and take any other action as necessary to avoid harm or loss.

On some locations and depending on the immediate danger (i.e. in case of a fire in a tunnel), stopping a train on those locations could make the situation worse. Therefore we suggest to add the same wording "as soon as it is safe to do so", in line with the wording for a driver who has been made aware of a danger in section 14 (1) of App. B2, as follows (indicated in blue):

"Any railway undertaking/infrastructure manager staff who become aware of a danger to trains shall take immediate action to stop any trains which may be affected as soon as it is safe to do so, alert the signaller and take any other action as necessary to avoid harm or loss."
In the TSI OPE draft 2022, the following is stated in section 1 of App. C2:

"The use of the European instructions numbers 1-5 and 7 is mandatory for ETCS, in accordance with the rules of the Appendix A."

In App. A v5.11 however, there is no explicit rule for the issuing of EI 5 in order to run with a speed restriction, except for the following general use of European Instructions in section 6.34.2 in order to restart the trains in case of an emergency:

"To restart trains that have not been tripped and if instructions and / or restrictions are necessary, the signaler shall issue an European instruction(s)."

Furthermore, there is no explicit rule in App. A v5.11 for the issuing of EI 4 in case of revoking an operational instruction, since the rules for revoking EI 3 by means of EI 4 has been deleted in sections 6.33.2 and 6.34.2 in App. A v5.11 given the possibility to revoke EI 3 by means of EI 1, 2 or 7, as stated in section 2 of App. C2.

Given that there is no specific mention of EI 4 and EI 5 in App. A v5.11, we propose to adapt the wording in section 1 of App. C as follows:

"The use of the European instructions numbers 1-3 and 7 is mandatory for ETCS, in accordance with the rules of the Appendix A."

EI 4:

Although no explicit citation of EI 4 is made any longer in any of App. A rules, it is still one of the available options for rules 6.33.2 and 6.34.2. It is therefore imperative to explicitly impose its use when running under ETCS for reasons of operational interoperability. Not doing so would e.g. lead an IM to continue using a national instruction with a similar content (if only wider to meet the requirement of App. C2.1 provision "If an operational instruction related to a class B system requires more information than the European instructions, a national instruction may be used instead. [...] The national instructions shall contain at least the same content as that for a European instruction.") even for ETCS.

EI 5:

Proposal accepted, since this is a generic instruction like EI 6, EI 8 and EI 9, not directly linked with ETCS operation. Its use will continue to be indirectly imposed through the App. C2.1 provision "Whenever the signaler needs to issue an operational instruction for which a European instruction exists, the signaler shall use this European instruction."

The mandatory use of the European instructions in the App. C2 - Section 1 of the draft TSI OPE 2022 includes the following rules, as an overload of rules that will not ensure the harmonised use of the European instructions, i.e.:

- the introduction phrase: "Railway undertakings and infrastructure managers shall use European instructions in the communication procedure in the following cases: [followed by a listing of the 9 European Instructions available]"
- the referral to the future App. A v6: "The use of the European instructions numbers 1-5 and 7 is mandatory for ETCS, in accordance with the rules of the Appendix A;"
- the additional rule for the signaler: "Whenever the signaler needs to issue an operational instruction for which a European instruction exists, the signaler shall use this European instruction."

In order to clarify the mandatory or recommended use of the harmonised European Instructions, we propose to amend the section 1 of App. C2 of the future TSI OPE 2022 as follows:

The numbers 1 to 20 for operational instructions are reserved for European instructions.

If numbered, the national instructions defined by the individual infrastructure managers shall start from 21 onwards.

The following harmonised operational instructions - European Instructions - are available:

- list of available European instructions with their title

The use of the European instructions is mandatory:
- for ETCS, in accordance with the rules of the Appendix A, and
- in all cases stated in this TSI.

In all other cases, the use of the European Instructions is recommended.

If an operational instruction related to a class B system requires more information than the European instructions, a national instruction may be used instead. In such a case, the infrastructure manager may define these requirements in its national instructions. These national instructions shall contain at least the same content as that for a European Instruction.
In the TSI OPE draft 2022, the following rule has been added in section 3 of App. C2:

"In case of verbal communication of a European instruction, the signaller shall only read out the first and second identifier figure of every field. Where a third identifier figure also exists, its field qualifier will be read out instead."

In real time communication when issuing a European Instruction, this rule will create confusion because the third identifier will be present on the forms that the signaller and driver will use, in example when communicating a Km for field 1.12.1 on EI 1:

- with the following verbal expression "Field one-point-one-two-point-one kilometer ...";
- instead of the complete verbal expression "Field one-point-one-two-point-one kilometer ...".

Although the common aspiration to harmonise communications when issuing an operational instructions, this new rule regarding only the third identifier on the European Instructions, will not ensure harmonised communications, as MS and IM will still have the opportunity to fix non-harmonised rules for all communications that are not yet harmonised by means of App. C when issuing an operational instruction.

Given these arguments, we propose to completely delete this new rule in the section 3 of App. C2, in order to allow each MS and IM (taking into account the possible communication errors given different operational languages on a network) to apply its own communication rules, awaiting the full harmonisation of communications when issuing operational instructions.

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The translations of the former European Instructions of the TSI OPE 2019 were often not consistent with the wording of the original English Instructions (i.e. the Dutch and French translations). In order to ensure a correct translation of the Enhanced European Instructions in the final TSI OPE 2022, including the use of the correct terminology in their content, we would like to have the opportunity to review the draft of the translations of these instructions before their publication.

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Having more than one field with the same field identifier and number is not acceptable for the transmission of the EI, either vocal or digital. If more than one speed limits need to apply in a track section, an equal number of EIs will need to be issued.

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The former EIs have been deleted in the OPE TSI draft. This is shown in track-change mode, like all other changes to the document. The EIs being embedded pdf documents, however, their deletion appears as a single horizontal red line over the entire EI form.

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ERA does not manage the translations of any TSI. There is also no legal basis for intervening and/or coordinating any such translations. Linguistic issues should be addressed to the translation services of the Commission and should be coordinated by the sector and authorities at national level, before the final TSI text is published, to prevent inconsistencies.
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<td>167</td>
<td>20</td>
<td>In the draft TSI OPE 2022 for public consultation (as well as in the current TSI OPE 2019), the following obligation is mentioned for the IM in Note N° 3 of App. D1: “3. With a view to avoid duplication of testing, in relation to parameters “Traffic loads and load carrying capacity of infrastructure” and “Train detection systems”, the infrastructure managers shall provide through RINF a list of vehicle types or vehicles compatible with the route for which they have already verified route compatibility, where such information is available.” Given the ultimate responsibility of RU for route compatibility checks (RCC), given the unsuitability of RINF to provide this information to RU instead of providing a list to RU and given the difficulties for IM to provide this up-to-date information that could undermine the ultimate responsibility for RCC by RU, we propose to amend this rule for IM as follows and indicated in red and blue: “3. With a view to avoid duplication of testing, in relation to parameters “Traffic loads and load carrying capacity of infrastructure” and “Train detection systems”, the infrastructure managers shall provide through RINF a list of vehicle types or vehicles compatible with the route for which they have already verified route compatibility, where such information is available.”</td>
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| 168 | 22 | Appendix D1 (p 77) / Note N° 3 | U | EIM OPE | Is the following exemption for the United Kingdom of Great Britain and Northern Ireland still in force for the TSI OPE 2022: “For the United Kingdom of Great Britain and Northern Ireland networks, the static compatibility checks for vehicles shall be performed according to relevant national rules in accordance with 4.2.7.4 (4) of Commission Regulation (EU) No 1295/2014.” |

| 169 | 22 | Appendix D3 (p 91) / Note N° 3 | P | EIM OPE | In the TSI OPE draft 2022, the following is stated in App. D3 - Note N° 3: “3. Item 7 lists the minimum set of ETCS National Values required to be made available to the railway undertakings. Infrastructure managers shall also provide upon request to a railway undertaking the complete set of National Values, e.g. to serve as default values for ERTMS/ETCS on-board units operating locally.” Given that the exact number for the national values in the table is 1.5, we suggest to replace “Item 7” by “Number 1.5” in Note N° 3. |

| 170 | 7.2.2.2 | M | UTP | As UK has been deleted in the title of the specific cases, corresponding references should also be deleted in the accompanying text. |

| 171 | 2 | Appendix B, C1, C2 | G | UTP | Page breaks are only inserted between consecutive Appendices. |

| 172 | 3 | Appendix A | 4.2 | Table 2 line ETC\textit{s} stop marker* | M | UTP | It is the train which has to be stopped (by the driver), and not the driver who has to stop. Proposal: ETC\textit{s} stop marker Harmonised trackside ETCS marker board defined in [2] used to: • identify a potential EOA and, • indicate the location where a driver has to stop the train, if running without an MA. Anyway, a driver could leave the cab also by request or need from the signaller, not only to use a fixed lineside phone. For example in EI 8, we can request the driver to activate LX manually. Other examples in Italy are when a driver is requested, in some degraded cases, to check the correct position of a switch, or when a driver is requested to check the completeness of their train. Our suggestion is not to exclude other possible cases. Proposal: All actions involving the driver assume his physical presence in the driver’s cab, unless when required to examine a technical failure of the train at standard, obtain signaller’s instructions through a fixed lineside phone or when requested by the signaller/non-harmonized rules. |

| 173 | 4 | Appendix A | 3.2 | | P | UTP | The possibility for a driver to leave the cab should not be an ETCS rule, we think it would suit more in App. B3. Anyway, a driver could leave the cab also by request or need from the signaller, not only to use a fixed lineside phone. For example in EI 8, we can request the driver to activate LX manually. Other examples in Italy are when a driver is requested, in some degraded cases, to check the correct position of a switch, or when a driver is requested to check the completeness of their train. Our suggestion is not to exclude other possible cases. Proposal: All actions involving the driver assume his physical presence in the driver’s cab, unless when required to examine a technical failure of the train at standard, obtain signaller’s instructions through a fixed lineside phone or when requested by the signaller/non-harmonized rules. |

| 174 | | Appendix A | 5.1.10 | | U | UTP | The current text could lead - especially in the translation - to the misinterpretation that a driver without release speed would be allowed to overpass an EoA: Proposal: Option 1: The driver shall stop on the approach to an ETCS Stop Marker: • indicating the EOA of the current MA without a release speed indication being displayed on the DMI (when in some Member States an EOA may be implemented without any release speed), or • indicating the EOA of the current MA when a release speed indication is displayed on the DMI, or when running without an MA unless he has received a specific authorisation by the signaller. Alternative option 2: The driver shall stop on the approach to an ETCS Stop Marker: • indicating the EOA of the current MA, even when a release speed indication is displayed on the DMI, or when running without an MA unless he has received a specific authorisation by the signaller. The proposed addition would only complicate the application of the rule, transferring the responsibility to the driver. Given the ambiguity for the driver on which physical EoA (marked by SM) shall be used and the train which has to be stopped (by the driver), and not the driver who has to stop the train, if running without an MA. The proposed alternative can be misleading when no release speed is provided. The former wording of the rule (App. A var. 5) was finally retained. It will be up to the driver to decide when exactly to start looking outside in order to identify the SM matching the EoA displayed on his/her DMI. With proper trackside engineering, there should be no ambiguity for the driver on which physical EoA (marked by SM) corresponds to the EoA calculated by the OBU. |

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<th>Page</th>
<th>Appendix A Section</th>
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<td>175</td>
<td>6.12 P</td>
<td>U</td>
<td>UTP</td>
<td>The current text could lead - especially in the translation - to the misinterpretation that a driver without release speed would be allowed to overpass an EoA. Proposal: Option 1: The driver shall stop on the approach to an ETCS Location Marker: • indicating the EoA of the current MA, or • indicating the EoA of the current MA when a release speed indication is displayed on the DMI, or • when running without an MA unless he has received a specific authorisation by the signaller. Alternative option 2: The driver shall stop on the approach to an ETCS Location Marker: • indicating the EoA of the current MA, even when a release speed indication is displayed on the DMI, or • when running without an MA unless he has received a specific authorisation by the signaller.</td>
</tr>
<tr>
<td>176</td>
<td>6.2.5 G</td>
<td>7</td>
<td>UTP</td>
<td>Appendix A section 6.2.5 'The traction unit has to move in SL' is not an operational rule. This is part of the handling of rolling stock and should be defined in the rolling stock manual &quot;how to prepare a loco for SL mode&quot;. Appendix A section 6.2.5 should be deleted.</td>
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<td>177</td>
<td>Appendix A 6.12</td>
<td>8</td>
<td>P</td>
<td>Formatting of the revised text should be adapted so that all bullets corresponding to &quot;If DAS information is available on board:” are correctly displayed below as sub-topics. Proposed formatting: • if DAS information is available on-board: - may follow the target advice speed when displayed on the DMI - may coast when is displayed - may respect the stopping points if indicated - may request a stopping point to be skipped if instructed and this option is available on the DMI - may operate the doors when invited to do so by relevant DMI indications.</td>
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<tr>
<td>178</td>
<td>Appendix A 6.14</td>
<td>9</td>
<td>M</td>
<td>In ETCS level 1 without trackside signals, in ETCS level 2 without trackside signals, and in ETCS level 3, when approaching the next ETCS stop marker, inform the signaller, stop at the ETCS stop marker and apply rule..... Rationales: the driver shall inform the signaller when the train is stopped at the next ETCS stop marker on the french network. When the train is running in SR, the driver must not use the radio. It seems important to clearly state that the driver is explicitly requested to stop before to offer the possibility to overpass without stopping if he has previously received the European Instruction.</td>
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<tr>
<td>179</td>
<td>Appendix A 6.41.1.a)</td>
<td>10</td>
<td>P</td>
<td>Since the movement backwards can be decided by the driver, there are cases in which there are no instructions given by the signaller. Proposal: [...] the driver shall move the train / shunting movement backwards following any instructions possibly given by the signaller.</td>
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<tr>
<td>180</td>
<td>Appendix A</td>
<td>11</td>
<td>M</td>
<td>The reference to the 2022 updated version is missing in the cover page of Appendix A in OPE TSI core text. The reference to the previous version 5 issued on 09/04/2019 should be replaced.</td>
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<tr>
<td>181</td>
<td>Appendix A</td>
<td>12</td>
<td>G</td>
<td>ERA and EC commitment to include the Appendix A in the core text of OPE TSI Annex A shall be enforced. This is in particular important to further ensure that the translation of Appendix A by the EC legal service takes place before publication instead of previous publications managed as directly by ERA for such an independent ERA technical document published on ERA website only.</td>
</tr>
</tbody>
</table>
6.1.2 Manual change of data required for train running number shall be treated by the driver in similar conditions than manual change of data required for the driver identification, i.e. in both cases "while at standstill or, if allowed by national value, while running". Proposal: If a change is required, the driver shall enter/modify and validate:
- the train running number while at standstill or, if allowed by national value, while running.

For the Train Running Number, the SRS stipulate that it is always allowed to change it while running, i.e. this action is not configurable by means of a national value. As a general principle, no harmonised operational rule shall restrict a flexibility that is offered by the technical specifications. Removing this possibility in Appendix A is therefore not acceptable. Regulating this possibility through a harmonised operational rule would also go against the principle of responsibility split between IM-RU; whether this operation incurs a risk should be up to the RU to assess (and restrict its use accordingly), not the IM.

Current text:
"the driver shall switch off the main power switch, taking into account the position of the pantographs".
The first symbol mentioned in 6.22 shows an announcement signal ("stands at half braking distance before switch-off signal") and informs the driver that he must switch off his traction unit after this section taken into account the position of the pantographs. The current wording is subject to possible misinterpretations and should be corrected.

For coherence with CCS TSI, the reference to level R needs to be added in Appendix A. It could be mentioned that in the 2022 version of the OPE TSI, the reference to level R will not be analysed and references to levels 2 and level 3 separately are still mentioned in Appendix A.

Missing reference to SL need to be added.

Proposal for LEVEL 3:
"When the train preparer / driver of a train scheduled to run or running in an ETCS level 3 area becomes aware that the TIMS is in failure or operational defect, shall apply App. B rule 15."
Due to the application case of EI1 in class B, we propose to add one tick box, eg "x.24: and shall run on-sight towards the next block signal, or in ERTMS until a new MA has been received". This is due to the absence of requirement to "run on sight" by default in the rule 11 of the appendix B. An alternative is a national rule at M5 level, requiring to run on sight by default when passing a stop signal. Please notice that in M5 where this field is not used, it may be deleted on the form used in this M5.

The proposed addition is not appropriate for the following reasons:
- Under ETCS (the primary field of application of EI 1) on-sight driving shall always apply once the EoA is passed given the mode (SR or SH); the signaller will only tick box x.25 in order to exempt the driver from this restriction if the signaller can ascertain that it is safe for the driver to proceed in that way. Whenever a new MA is received, supervised operation will be activated and EI 1 is no longer effective.
- If EI 1 is used for Class B operation, then on-sight driving is indeed not explicitly instructed therein. However, having an extra tick-box for that purpose in EI 1 would complicate its use for ETCS operation, where this option is assumed to apply by default. An operational solution would be to provide the on-sight instruction through the additional instruction field. This would also be in line with the provision of App. B2 rule 11 for passing a signal with stop aspect "When giving authorisation, the signaller shall give the driver any instructions concerning the movement."
- The proposed alternative of a national rule mandating on-sight driving whenever an EoA is passed by means of EI 1 in Class B is another possibility. In that case, if the signaller can exceptionally exempt the driver from running on sight, the signaller can tick box x.25.

It is noted that under ETCS, the modalities for passing a stop signal are already covered in rule 6.39 and the use of EI 1 is fully prescribed. App. A rule 6.39 and App. B2 rule 11 are also fully consistent with each other. These can be clarified also in the Application Guide.

Driver vigilance
A means of on-board monitoring of driver vigilance is necessary. This shall, which must meet the ergonomic requirements set out in the directive of the Council Directive of 12 June 1989 concerning the introduction of measures aimed at promoting the improvement of the safety and health of workers at work (89/391 / EEC), as implemented by each member state, intervene to bring the train to a stand if the driver does not react within a certain time; the time range is specified in the rolling stock TSI.

The driver's 'vigilance' is a behavioral element which is not defined in this TSI. Consequently, supervisory monitoring is a function that maintains large margins of uncertainty. The control system currently envisaged as a requirement of this TSI, using mechanically operated interfaces is primitive and obsolete, and contrary to the most elementary principles of ergonomics.

In the railway sector, the most modern digital technologies, communication, detection and control, have been profitably inserted in all the elements of the system, with very advanced peaks in the on-board, ground and traffic management systems.

On the contrary, for the driver's control function there has been no technological innovation, but a device with a primitive operating philosophy, identical from the early years of the last century, is still used: sound - gesture, sound - gesture, sound - gesture, etc.

The electronic and digital processing of the signal coming from the on-board interfaces (pedals, push buttons, tactile buttons, etc.), has not in fact changed the archaic conception of the system without respect for the health and dignity of the driver.

Furthermore, according to all the human psychophysiology studies present in the literature, the cyclic repetition of movements and gestures can induce or favor a hypnotic state. The forced execution of instantaneous actions and simple movements of the limbs in response to a sound stimulus, with gestures repeated indefinitely over time, for the entire duration of the work also implies:
- distraction from driving;
- alienation from the operational context;
- frustration resulting from the obsolescence of the device used.

This change proposal would need to be discussed with a Working Party and cannot be introduced at this stage of the revision for the TSI package 2022. A change request can be created to initiate that discussion for a future revision.
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