

European Railway Agency

Part 1 of the Reference Document envisaged by Article 27 of the Railway Interoperability Directive

Application Guide

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Part 1 of the Reference Document - Application Guide

0 DOCUMENT INFORMATION

0.1. Amendment Record

Table 1: Status of the document.						
Version Date	Author	Section Number	Modification Description			
Version 2.0 22/07/2013	ERA					
Version 2.1 31/7/2015	XA UNIT	Table 1 Table of contents Section 1 Section 4.3 Section 5.3 Section 6.3 Annex I Annex II Annex III	Introduction, References , Terms and Definitions Derogation from TSI, Authorisation of series, Authorisation Template Authorisation template, Single European Process Principles – Loops Templates updated Flowcharts updated Application template added			
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Version 2.3 10/9/2015	FM, SH , RL	Section 6	Review of Section 6.2			
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COMMISSION DECISION of 9 March 2011

on the publication and management of the reference document referred to in Article 27(4) of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community

(notified under document C(2011) 1536)

(Text with EEA relevance) (2011/155/EU)

1 INTRODUCTION

This application guide to the Reference Document forms Part 1 of the Reference Document as envisaged by Decision 2011/155/EU of 9 March 2011 on the publication and management of the Reference Document referred to in Article 27(4) of the Interoperability Directive.

It is intended to refer to the elements of this Decision, and any other information relevant for the management, understanding and use of the Reference Document.

For a better understanding of the European process for vehicle authorisation, it is advised that you read Commission Recommendation 2014/897/EU on matters related to the placing in service and use of structural subsystems and vehicles.



1.1 REFERENCES

Document Reference	Title	Version
Directive 2008/57/EC	Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community (Recast)	As amended by Commission Directive 2013/09/EU
Decision 2009/965/EC	COMMISSION DECISION on the Reference Document referred to in Article 27(4) of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community	30 November 2009
Decision 2011/155/EU	COMMISSION DECISION on the publication and management of the Reference Document referred to in Article 27(4) of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community	9 March 2011
Directive 2004/49/EC	Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive)	As last amended by Commission Directive 2009/149/EC
Directive 98/34/EC	Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services	As last amended by Regulation (EU) No 1025/2012 of the European Parliament and of the Council
2014/897/EU	Commission Decision 2014/897/EC Commission Recommendation of 5 December 2014 on matters related to the placing in service and use of structural subsystems and vehicles under Directives 2008/57/EC and 2004/49/EC of the European Parliament and of the Council	5 December 2014
402/2013/EU	CSM Regulation 402/2013 Commission Implementing Regulation (EU) No 402/2013 of 30 April 2013 on the common safety method for risk evaluation and assessment and repealing Regulation (EC) No 352/2009	30 April 2013

Table 2: Documents referred to in this application guide.



1.2 ABBREVIATIONS

Table 3: Abbreviations

Abbreviation	Definition
APS	Authorisation for Placing in Service
CCS	Control-Command and Signalling
CSM	Common Safety Method
DeBo	Designated Body
EC	European Commission
EMC	Electromagnetic Compatibility
ERATV	European Register of Authorised Type of Vehicles
EN	European Standard
EU	European Union
GIG	Geographical Interest Group
IM	Infrastructure Manager
MS	Member State
NLF	National Legal Framework
NoBo	Notified Body
NR	National Rule
NRD	National Reference Document
NTR	National Technical Rule
NOTIF-IT	The database for the notification of national rules (technical and safety) to EC
NSA	National Safety Authority
RDD	Reference Document Database
RU	Railway Undertaking
SMS	Safety Management System
TEN	Trans European Network
TSI	Technical Specification for Interoperability
UIC	International Union of Railways

1.3 TERMS AND DEFINITIONS

Acceptable means of compliance means non-binding opinions issued by the Agency to define ways of establishing compliance with the essential requirements;

Acceptable national means of compliance means non-binding opinions issued by Member States to define ways of establishing compliance with national rules. It should be published in RDD and it has a non mandatory status.

Additional authorisation: The authorisation granted by another Member State after the first authorisation.

According to Article 21.5 of the Interoperability Directive a Member State shall clarify if an additional authorisation is needed in the case of TSI or non TSI conform vehicle.

Agency: The European Railway Agency

Alternative method: Means of proving compliance other than the acceptable national means of compliance (if any exists). For the sake of transparency and to prevent discrimination, the accepted alternative method shall be published in the RDD as an acceptable national means of compliance.

Appeal body: A body that is designated to by each Member State under Article 17(3) of Directive2004/49/EC. It could be also the regulatory body set up in accordance with article 30 of Directive 2001/14/EC.

Applicant: The role performed by an entity applying for the authorisation of a vehicle type or for placing in service of a vehicle - a role that could be performed by any of the following actors: Keeper, Manufacturer, Railway Undertaking, Infrastructure Manager or other. This does not cover other applicants for EC certificates.

Application template : A harmonised, recommended document developed to facilitate the work carried out by an Applicant to obtain an Authorisation for Placing in Service of a Vehicle and/or a Type Authorisation

Assessment body (CSM): Role which undertakes assessment(s) to verify, based on evidence, the suitability of a system to fulfil its safety requirements, as defined in Regulation 402/2013/EC.

Authorisation Case: Case defined in Section 4.3 of this document.

Authorisation file: All documentation necessary for any application for the placing in service of a vehicle under Interoperability Directive including the technical file (including any derogations from requirements, evidence of compliance with equivalent National rules that do not require further checks and evidence of previous authorisations etc.).

Conditions and limits of use: Any limitations on intended use specified in the technical file accompanying the "EC" declaration of verification such as climatic conditions, maximum speed, gradient, etc.

Compile: Collect



Deemed authorisation: For additional authorisation, in the absence of a decision of the competent National Safety Authority within the prescribed time limits, the placing in service of the vehicle in question shall be deemed to have been authorised after a period of three months starting at the end of these time limits – Art 21.8 of Directive 2008/57/EC.

Designated Body: Role of a body designated by a Member State pursuant to Article 17(3) of Directive 2008/57/EC for the assessments against National Rules.

Fees: Any fee that is required from the applicant during the authorisation process from a national body. It covers administrative fees for the National Safety Authority, the network access fees for on track tests, the authorisation fees, and the assessment fees when the National Safety Authority acts also as Designated Body and Assessment Body (CSM).

First authorisation: The authorisation granted by the first Member State for a new vehicle and/ or vehicle type.

According to the description given in Articles 22 and 24 of the Interoperability Directive for TSI-conform vehicle and non TSI conform vehicle.

Infrastructure Manager: Role of a body responsible for establishing and maintaining railway infrastructure, or a part thereof as defined in Directive 2004/49/EC.

Interoperability Directive: Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community (Recast).

Issuing or granting authorisation: Authorising the placing in service of a vehicle type or a vehicle. It should be noted that there is no authorisation for use in the Directives. The use of a vehicle is carried out under the respective SMSs of a Railway Undertaking or Infrastructure Manager and is not part of the authorisation process.

Legal route: The path mandated by EU rules and/or EU recommendations to be followed for the authorisation case.

MS agreement: Any agreement between Member States to facilitate the exchange of information and the handling of authorisation processes (first, additional, renewed, simultaneous, etc.).

National Legal Framework: The set of rules in a Member State that covers the procedure for the authorisation of placing in service of vehicles.

National Safety Rules: Rules required to be notified under Article 8 of Directive 2004/49/EC.

National Technical Rules: Rules required to be notified under Article 17 of Directive 2008/57/EC.

New authorisation: Authorisation granted by one Member State after the upgrading/renewal of an existing vehicle and/or vehicle type already authorised.

According to Article 20 of the Interoperability Directive a new authorisation may need to be granted after the modification of an existing vehicle/ or vehicle type.

Notified Body: Role of a body notified by a Member State for the assessments against a given EU legislation.

Non mandatory/ Common practice: Practice developed by the European Railway Sector that can be optionally followed during the project.



Non TSI conform vehicle: Vehicle which is/was not in conformity with all the relevant TSIs that were in force at the moment of placing in service, including vehicles subject to derogations, or where a significant part of the essential requirements is/was not laid down in one or more TSIs – Article 24.1 of the Interoperability Directive.

On track tests: Tests that take place on the network for which a National Safety Authority is "competent" (see art.21.1 of Interoperability Directive) as opposed to rail test facilities (laboratory or closed test track).

Pre-engagement: Prior exchanges of information between the applicant, National Safety Authority and other parties where each entity gets confirmation on the feasibility of the project. This stage includes also the requirements freeze if any.

Note: The other parties involved can be:

- Member State for derogation and/or new authorisation (if required, rules applied).
- Notified Body for review of the arrangements, including the identification/confirmation of TSIs applicable to the project.
- Designated Body for review of the arrangements, including the identification/confirmation of national rules applicable to the project.
- Assessment Body (CSM) for review of the arrangements applicable to the project.
- Infrastructure Manager for the arrangements of on-track tests where required.
- European Railway Agency as observer

Pre-engagement baseline: The document specifying all the aspects concerning the preengagement, including on track test conditions and requirements freeze (if any), for the project.

RDD User Role consists of a predefined set of rights to access content, manage content and configure elements within the Reference Document Database (RDD). A registration is needed for RDD user roles providing rights to manage content and configure elements within the Reference Document Database (RDD). Access to information published by the MSs is available without registration.

Renewed authorisation: Renewal of a vehicle type authorisation where relevant (changed rules, type validity expiry).

Article 26.3 of the Interoperability Directive is applicable only in case of the renewal of a vehicle type authorisation.

When there is a design change, (requiring a new EC verification (see conformity assessment modules SB or SH1)) leading to a new vehicle type that falls under the case of a first authorisation (ERA/REP/01-2012/INT - Authorisation of types of vehicles – draft final report Version 0.09/16 May 2012).

A renewed authorisation is limited to the case where, after assessment against the changed rule(s), it is proven that the vehicle type conforms without any design change.

Rules: Mandatory requirements .



Safety Directive: Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive).

Simultaneous application: An applicant requests authorisation from several Member States at the same time (in parallel).

Stage: A stage is the flowchart which contains a sub-stage reference symbol, and can be considered the parent of the sub-stage.

Subsequent authorisation: Authorisation of a vehicle that conforms to an already authorised vehicle type.

According to Article 26.3 of the Interoperability Directive, a vehicle which conforms to a type already authorised in a Member State shall be authorised by that Member State on the basis of a declaration of conformity to this type submitted by the applicant without further checks.

Theme: Group of parameters that relates to a given function or part of the vehicle (e.g. Coupling, Wheel, etc.).

Time frame: A period calculated from a timeline.

Timeline: The exact date where the counter starts for the time frame calculation.

TSI conform vehicle: Vehicle which is in conformity with all the relevant TSIs which are in force at the moment of placing in service; provided that a significant part of the essential requirements is laid down in these TSIs and that the relevant TSI on rolling stock has entered into force and is applicable – Article 22.1 of the Interoperability Directive.

Verification procedure: Covers checks and certification according to requirements from the directives, TSIs and national rules.

2 PURPOSE AND SCOPE

2.1 PURPOSE

As described in Decision 2011/155/EU on the publication and management of the Reference Document, the purpose of the Reference Document is to facilitate the procedure for authorising the placing in service of vehicles by:

- (a) listing all the parameters to be checked in connection with the authorisation for placing vehicles in service;
- (b) identifying all the rules applied by the Member States in conjunction with the authorisation of placing vehicles in service;
- (c) referencing the rule that applies in respect of each of the parameters to be checked in connection with the authorisation for placing vehicles in service;
- (d) classifying all rules under group A, B or C in accordance with Section 2 of Annex VII to Interoperability Directive; and
- (e) outlining the national legal frameworks covering the authorisation for placing vehicles in service, in accordance with Article 1 of Decision 2009/965/EC.

In summary it:

- makes the vehicle authorisation framework transparent; and
- facilitates "cross acceptance".

Cross-Acceptance delivers two benefits:

- checks carried out as part of an authorisation in one Member State are automatically mutually recognised. This means that authorisation in a second Member State invokes checks only if "these are strictly necessary for verifying the technical compatibility of the vehicle with the relevant network" (recital 42 of the Interoperability Directive); and
- it reduces the need for a vehicle design to be configured differently for each individual Member State suite of rules.

2.2 SCOPE

The Interoperability Directive covers:

- TSI conform and non TSI conform vehicles;
- vehicles operating on and off TENs network;
- new, upgraded and renewed vehicles; and
- vehicles already operating in one Member State seeking "additional authorisation" to be placed in service in another Member State.

This is also the scope of the Reference Document. The rules contained within the Reference Document are all the rules and processes that are applied by Member States for authorising the placing in service of vehicles in all the different authorisation cases. Where not detailed in full in the TSI, national rules referred to in the TSIs as covering specific cases are included.



3 TARGET AUDIENCE

The target audience for the Application guide is composed of 3 categories of users of the reference document:

- Users = Anyone seeking information such as Applicant for APS; MS/NSA; the Agency
- Manager of the reference document = The Agency
- Managers of the National reference documents and National legal frameworks = MS/NSA

4 DESCRIPTION OF:

4.1 THE REFERENCE DOCUMENT

The legal basis for the Reference Document

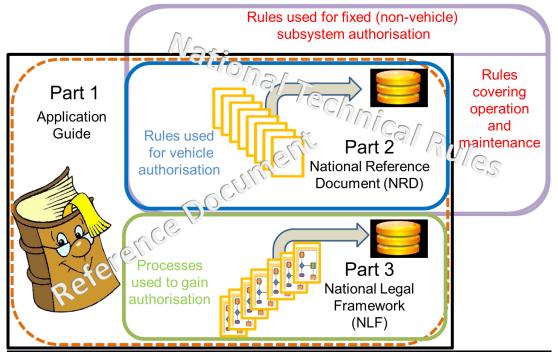
The responsibility for putting national rules in place rests with the Member States and, unlike the notification to the Commission of national technical rules, the Agency makes no validation of rules in the Reference Document. If a rule is applicable for authorisation it must be published by the Agency. However, the classifications of the equivalence of rules contained within the Reference Document have a legal status because they determine what an NSA carrying out an authorisation may check or call into question.

Structure of reference document and general principles

Decision 2011/155/EU states that the Reference document shall be structured as follows:

- Part 1: Application guide: This part shall refer to the elements included in this decision (Decision 2011/155/EU), and any other information relevant for the management, understanding and use of the reference document.
- Part 2: National Reference Documents: The reference document shall include all national reference documents listing and classifying the national rules, one for each Member State, as referred to in Article 3 of Decision 2011/155/EU.
- Part 3: Information on National Legal Frameworks: in accordance with Article 1 of Decision 2009/965/EC, the reference document shall include information on the national legal framework applicable to the authorisation of placing in service of vehicles. This part shall be filled in as soon as Member States notify the national measures implementing Interoperability Directive.





All three parts of the Reference Document are published on the Agency's website

Figure 1 The relationship between the Reference Document and national technical rules

<u>Databases</u>

The national rules used for vehicle authorisation and the associated data related to the National Reference Documents are stored in two databases:

- The NOTIF-IT database managed by the European Commission stores the documents containing the national rules, the records of notification of national technical and safety rules and the references of all these rules to TSIs, article 8 of the Safety Directive and the list of parameters, according to the nature and content of the rule.
- The Reference Document Database (RDD) managed by the Agency.

The relation between the Reference Document Database (RDD) and NOTIF-IT

To facilitate the notification of rules applied in conjunction to vehicle authorisation and to avoid double data entry, the Commission and the Agency decided to establish a functional relationship between the Reference Document Database and NOTIF-IT.

Since version 3.3 of the RDD, the rules which have been uploaded into RDD do not need to be entered separately for notification. The related information can be exported using the application functionality within the RDD to create notifications in NOTIF-IT. In this manner, after export from RDD, the "notifier" only needs to confirm their notification in NOTIF-IT to start the notification process.

Exporting a rule from RDD to NOTIF-IT creates a notification for that rule in NOTIF-IT. When the rule is exported it is locked in RDD (the rule cannot be modified in RDD) and the processing of the notification can start in NOTIF-IT.

The changes of status (of the notification of the rule) in NOTIF-IT are reflected in RDD. However, if the rule is updated in NOTIF-IT this is not immediately reflected in RDD.

At the end of the processing of the notification in NOTIF-IT, when the notification is accepted, the rule is updated in RDD with the changes performed during the notification in NOTIF-IT, if any. In this moment the rule is unlocked in RDD. When the notification is rejected in NOTIF-IT the notification status of the rule in RDD is changed to rejected and the rule is unlocked in RDD. When unlocked in RDD the rule can again be modified in RDD.

Only the mandatory rules published in RDD can be exported to NOTIF-IT. Rules marked as "Acceptable National Means of Conformity" in RDD, which therefore have a non-mandatory status, cannot be exported to NOTIF-IT.

4.2 THE NATIONAL REFERENCE DOCUMENTS

Content of the National Reference Documents

The National Reference Documents list all the national technical rules applicable in conjunction with authorisation of railway vehicles. The structure for reference and the listing of these is given by the list of parameters. The current version of the list of parameters is the Annex to Decision 2009/965/EC with the corrigendum published in the Reference Document Application Guide v2.0-22.07.2013. An update of the list of parameters was voted at the RISC no. 73 of 04/06/2015 and shall enter in force 01/01/2016.

In addition, the National Reference Documents shall include the classifications (A, B, C) with other Member States rules.

In the case where a Member State has a national technical rule which cannot be addressed to one of the parameters in the list of parameters, the Member State should inform the European Railway Agency.

It is to be understood that the National Reference Documents contain an exhaustive list of all the national requirements applied in relation to the authorisation of railway vehicles, cross referenced against the list of parameters.

To ensure that transparent and harmonised information on the rules to be applied for vehicle authorisation is publicly available, the Member States must indicate for all parameters:

- a) The respective national technical rule in force or
- b) express explicitly that there is no national technical rule.
 When there is no national technical rule in force for a parameter, this shall be indicated in the National Reference Document as "no requirement in addition to applicable TSIs".
 When the Member State still has to check if there is a requirement for a parameter, it should be indicated as "to be investigated".



In addition, National Reference Documents should also contain information on acceptable national means of conformity, if any.

Criteria for establishing equivalence

Each National Reference Document should indicate the classification (A, B, or C), according to Annex VII of the Interoperability Directive 2008/57/EC of other Member States rules for the parameter:

- Classification A indicates "national rules deemed to be equivalent, to national rules of other Member States" or that the rule is an "international standard"(e.g. EN, UIC leaflet). A rule is deemed to be equivalent when MS1 accepts that if a rule is valid in MS2, then it also meets the essential requirements in MS1.
- Group C classification "covers rules that are strictly necessary and are associated with technical infrastructure characteristics, in order to ensure safe and interoperable use in the network concerned (e.g loading gauge)".

A rule that is classified as C requires additional checks and/or tests to be carried out to prove compliance to MS2 rules.

Group B classification "covers all rules that do not fall within the scope of Group A or Group C, or that has not yet been possible to classify in one of these groups".
 A rule that is classified as B requires additional checks and/or tests to be carried out to prove compliance to MS2 rules.

According to art. 23.5 and 25.4 of the Interoperability Directive 2008/57/EC the national safety authority may only carry out verifications on the basis of the national rules relating to Group B or C.



4.3 THE NATIONAL LEGAL FRAMEWORKS

Structure of the National Legal Framework

The structure of the National Legal Framework is based on the Interoperability Directive and Recommendation 2014/897/EU.

The aim of the structure of the NLF is to enable easy comparison of NLFs in order to:

- find the commonalities and the significant differences for the NLFs in the MSs; and
- compare with the Interoperability Directive and the Recommendation 2014/897/EU.

The process for authorisation of placing in service of vehicles is composed of several stages; the stages of the process are described in Annex II of this document.

The structure of the NLF is that there is information to be provided for each stage of the process for the related "authorisation cases".

When choosing the "authorisation cases" for the process for authorisation of placing in service of vehicles the aim has been to capture all cases that fall under the scope of the Interoperability Directive.

Authorisation cases

The procedures are similar for several "authorisation cases". Therefore, though there were more theoretical authorisation cases, some of them have been merged.

In particular, the following two cases have been merged into a single case, except for additional authorisation:

- TSI conform vehicles; and
- Non TSI conform vehicles.

Effectively, for both cases, there are two sets of requirements that apply: the TSIs and the NTRs. The only difference is that for TSI conform vehicles, the rolling stock TSI applies, whereas for non-TSI conform it might not yet be the case. However, the process is similar even if the requirements may differ.

For Non TSI conform vehicles the following applies concerning specific cases and derogations:

- <u>Specific cases:</u> are applicable for renewal or upgrading of part of the vehicle for which TSIs apply. For additional authorisations specific cases may apply if necessary for technical compatibility with the network.
- <u>Derogations:</u> are applicable under Article 9 of the Interoperability Directive. It is the responsibility of the concerned MSs to request a derogation to the Commission. The Commission may consult the Agency when assessing complex derogation requests. For derogations falling under Article 9.1 b) d) and f) of the Interoperability Directive, the



Commission applies the Regulatory procedure described in Article 29 of the Interoperability Directive.

According to Article 26.2 of the Interoperability Directive, when a vehicle is authorised for placing in service its type is automatically authorised whereas when a type of vehicle is authorised there might not be a related vehicle authorised to be placed in service. When only the type is authorised an EC declaration of verification has to be provided (e.g. application of module SD).

In the description of the process both authorisation for placing in service of a vehicle and authorisation of a vehicle type are combined where this is not explicitly differentiated.

The following cases have been developed and described in the generic flowcharts:

- First authorisation for vehicle type/vehicle
- New authorisation for upgraded/renewed vehicle type/vehicle
- Additional authorisation for vehicle type/vehicle already authorised by an EU MS for TSI and non TSI conform vehicles
- Renewed authorisation for a type authorisation that is not valid anymore
- Subsequent authorisations of vehicles conforming to an authorised vehicle type (authorisation of vehicles of the same type)

Article 21.13 of Directive 2008/57/EC mentions Series authorisation. This authorisation case is understood and considered as a combination of a vehicle type authorisation followed by authorisation of a specific set of subsequent identical vehicles by verification of conformity to type. Therefore series authorisation is not described in the Generic flowcharts.

Application template

The application template is a harmonised document developed to facilitate the work carried out by an Applicant to obtain the Authorisation for Placing in Service (APS) of a Vehicle or a Vehicle Type Authorisation.

The application template:

- Contains the information that needs to be completed by the applicant from the start of the authorisation process until the end; covering all steps of the European Legal Framework.
- Covers all authorisation cases as defined in chapter 4.3 and simultaneous authorisation.
- Considers the requirements for the registration of a new vehicle type in ERATV.
- Can be used as a check list by the Applicant and the National Safety Authority(ies) involved in the APS.
- Allows for traceability during the whole authorisation process.

The template is in annex III.



5 HOW TO USE:

5.1 THE REFERENCE DOCUMENT

The Reference document contains the rules and processes related to vehicle authorisation that are applied in the EU MSs + Norway and Switzerland.

The User will, based on the scope of their authorisation project, identify the rules and processes that are to be used.

The Reference document may also be used for the following:

- Analysis of the level of interoperability already achieved.
- Analysis of the data contained in the Reference document in order to:
 - $\circ\,$ Ensure consistency between TSIs and national rules (e.g. no duplication of requirements).
 - Reduce the number of national rules where possible.
 - Replace national rules by TSI requirements where possible.
 - Close open points in TSIs where possible.
 - Establish a single European process.
 - \circ $\;$ Bring improvement to the vehicle authorisation process.
 - Simplify the classifications (ABC) between the rules of the MSs
- Management of authorisation projects .
- Facilitation of simultaneous authorisation. A procedure for simultaneous authorisation has been developed and included in section 5.3; the use of this procedure is advised but not mandatory.

5.2 THE NATIONAL REFERENCE DOCUMENTS

<u>User</u>

Until a MS's list of rules has been validated and published in the RDD by the MS, the User can access the list of rules in pdf-format on the Agency's website.

In the scope of additional authorisation for placing in service of railway vehicles in accordance with Article 23 and Article 25 of the Interoperability Directive the NSA may not carry out verifications on the basis of national rules classified as A and published in part 2 of the reference document (National Reference Document). In this respect, the criteria checked by a national safety authority may concern only:

- technical compatibility between the vehicle and the network concerned, including the national rules applicable to the open points needed to ensure such compatibility,
- the national rules applicable to the specific cases duly identified in the relevant TSIs.



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Manager of the Reference Document

The Manager of the Reference Document ensures the following:

- Implementation of changes in the structure of the National Reference Documents (NRDs), including any update on the list of parameters.
- Creation of template reports on request.
- Support to the Managers of the National Reference Documents (NRDs) in the upload, update and publication of information (rules and classification of rules) related to the NRD of the respective MS.
- Management of the Reference Document Database.

Manager of the National Reference Document

The manager of the National Reference Document updates and publishes the national rules and their classifications. These are described in sections 2.4 and 2.5 of the RDD User manual.

5.3 THE NATIONAL LEGAL FRAMEWORKS

<u>User</u>

Until a MS's National Legal Framework has been validated and published in the RDD by the MS the User can access the National Legal Framework in pdf-format on the Agency's website.

The User will be able to view background information, flowcharts, graphical comparison of flowcharts and reports in the RDD. This is described in sections 3.4 and 3.5 of the RDD User manual.

Manager of the generic legal framework

The manager of the generic legal framework creates the generic flowcharts and background information. This is described in section 5.13 of the RDD User manual.

Manager of the National Legal Framework

The manager of a National Legal Framework creates their National Legal Framework using the generic flowcharts and background information. This is described in section 4.6 of the RDD User manual.

Use of the application template

A template for an application for vehicle authorisation, managed by ERA, is presented in Annex III of the this version of the Application Guide.

The application should be based on the above mentioned application template which is managed by the applicant and presented to the NSA(s). The application is updated at each stage of the authorisation process indicated in the template:

- Pre engagement
- Assessment
- Authorisation file

The Applicant provides the updated application to the NSA which can then be used as a basis for discussions at the different stages of the process.

The NSA can use the final version of the application form to deliver the authorisation of this vehicle in a harmonised manner.

Advised Procedure for Simultaneous Authorisation

Several NSAs may proceed jointly to vehicle authorisation for placing in service. For vehicle authorisations on several MS's networks, the applicant shall apply simultaneously to every concerned NSA according to the respective legislation in force at the date of the application.

The NSAs will set up a common organisation that shall contain amongst other things a timetable for implementation. One of the NSAs will be identified to ensure coordination amongst them. In the context of the implementation of the Commission decision 2011/155/EU, the concerned NSAs will agree on the implementation of the related reference documents, in particular for part 2 "National Reference Documents" and part 3 "Information on National Legal Framework". The outputs of the pre-engagement (see part 3 of the Reference Document) on the task sharing and the criteria to apply (e.g. document sharing, document format, language to be used, parameter sharing, non-classified A parameter processing, etc.) are recorded in a report. All participants, including the applicant, shall agree on the pre-engagement baseline (the report noted above).

The sharing of A classified parameter verifications between the NSAs will be carried out in agreement with the applicant and can be done by grouping the parameters into defined subject themes (e.g. "parking brake related parameters"). Documents necessary for the authorisation for placing in service shall be classified according to the structure of the "Common Technical File" based on the annex of the Commission Decision 2009/965/EC.

For each classified parameter, the applicant will submit the necessary documentation for verification only to the NSA in charge of the assessment of that parameter.

The NSAs shall exchange information, which they have respectively assessed, using "Conformity certificate(s)" related to the A classified parameters. The Conformity certificate is issued by theme and not by parameter. Within every certificate, each assessed parameter shall be clearly identified. These Conformity certificates are sufficient to demonstrate the assessed vehicle's conformity to the related rules including those of the MSs/NSAs who receive them.

For B and C classified parameters, the applicant shall submit the required documentation, including DeBo assessment result, to each concerned NSA who will carry out their own assessment according to the national regulations and the agreed pre-engagement baseline.



Documents sent to each NSA shall be written in languages according to the agreed preengagement baseline.

For parameters classified as A from MS XX to MS YY and C from MS YY to MS XX, the assessments carried out by MS XX will be accepted by MS YY but not vice versa (indicating that there might not be two way equivalence).

New assessments shall be performed for modifications on a vehicle that impacts a parameter carrying a certificate. If conformity to the rules is proven; a new certificate shall be issued.

Every NSA may issue the authorisation for placing in service of vehicles for its own MS's network when the related authorisation file is complete and accepted.

In each MS, the authorisation file will consist of the following points:

- Documents obtained directly by the MS's NSA for B and C classified parameters.
- Documents obtained and accepted directly by the NSA itself or the certificate issued by other NSAs for A classified parameters.

As each vehicle authorisation for placing in service in a given MS, including additional authorisation, is also valid as vehicle type authorisation in that MS. Every concerned NSA must have at least a copy of all certificates, including the assessment report, established by the notified body in order to ensure the completeness of the file. This is in case of a future further or renewed application from the applicant.



6 MANAGEMENT OF:

6.1 THE APPLICATION GUIDE TO THE REFERENCE DOCUMENT

This Application guide will be regularly updated in the light of experience as instigated by the Agency with the support of the Cross Acceptance Working Party.

1. Planning

At least once per year the Agency will review this Application guide and make any proposal it considers necessary to the Cross Acceptance Working Party. The stakeholders can request reviews if necessary.

2. Updating

The Agency is responsible for updating the Application guide. For this update the Agency will take account of any input from the stakeholders.

3. Organisation & coordination of activities

The Agency collects any input for the improvement of this Application guide. Stakeholders input can be introduced either via Sector organisations; MSs/NSAs or from individual users. This is done by sending an e-mail to <u>RDD@era.europa.eu</u>

The Agency proposal for an update of this Application guide will be posted on the Agency's website at least 1 month before its submission to the Cross Acceptance Working Party.

4. Decision making

The decision to have more frequent updates of the Application guide is made by the Cross Acceptance Working Party based on an Agency proposal.

The Cross Acceptance Working Party is responsible for:

- Validating the Agency proposal; and
- approving the publication of the Application guide.



6.2 THE NATIONAL REFERENCE DOCUMENTS

The framework to facilitate the authorisation of railway vehicles, considering the requirements expressed by National Technical Rules, is based on three different steps:

1. A common list of parameters to be checked in conjunction with the authorisation of railway vehicles.

• Current version: Annex to Decision 2009/965/EC with the corrigendum published in the Reference Document Application Guide v2.0-22.07. 2013.

• An update of the list of parameters was voted at the RISC no. 73 of 04/06/2015 and shall enter in force 01/01/2016.

2. Collecting the different National Requirements for each parameter concerned and publication of these requirements in the form of the National Reference Document (see Decision 2011/155/EC).

3. Comparing and Classifying, by different MS authorities, the equivalence (A, B, C) of the national rules applied with the rules applied by other MSs (in accordance to Annex VII section 2 of Directive 2008/57/EC).

Managing the National Reference Documents (NRD)

Decision 2011/155/EU describes the arrangements for the publication and maintenance of the National Reference Documents. To facilitate the access and administration of the information of the National Reference Document, the Agency has launched the Reference Document Database (RDD) which is continuously updated.

When the list of rules has been validated and published by the Member State then access to these rules will be redirected from the pdf-format on the Agency's website to the Report page of RDD.

NRD maintenance

The MS/NSA shall review their National Reference Document to ensure:

- Consistency with all relevant EU legislation (e.g. TSIs).
- Consistency with all relevant national legislation.
- Consistency with the evolution of relevant standards and norms
- Consistency with the current state of the art (e.g. considering acceptable national mean of compliance)

The MS/NSA shall review the information in the National Reference Document regularly to followup on the evolution of the rules, especially in the case of technical development or TSI evolution.

To ensure that the information on rules to be applied in conjunction with the authorisation of railway vehicles and their classification of equivalence is up to date, the Agency will provide support to the National Safety Authorities and Member States. The support will consist of



assistance with the uploading of information into RDD being provided by the MS/NSA and also various forms of user training (e.g. training meetings, instructional videos etc.)

Other actors (i.e. manufacturers, RUs, IMs, associations etc.) may also advise the MS/NSA and/or Agency of a need to update the RDD (e.g. if known rules are missing or other relevant information in the RDD appears to be out of date). In case of receipt of such information, the Agency shall contact the relevant MS/NSA to analyse the reported issue and, where necessary, the MS/NSA shall update the information in the RDD.

Evolution of National Reference Documents

The draft of new or amended rules shall be notified according to the procedure in Directive 98/34/EC. Conversly, the National Reference Documents shall not be notified according to the procedure in Directive 98/34/EC.

A change of a national rule by one Member State may potentially invalidate an A classification of this rule as it might render the vehicle incompatible with the network of the second Member State. It is therefore important for Member States to take great care when changing rules and consider the effect the change may have on the rule's classification by other Member States. It is good practice to discuss such changes at Geographical Interest Group Meetings (GIGs) whilst drafting the changed rule.

Cleaning-up of NTRs

The Agency will support MSs in verifying whether their rules are aligned to the EU legal framework, facilitating the notification of NTRs to EC¹. To do that, the Agency will establish a service called 'Cleaning-up of rules'. The service is intended to cover the necessary set of activities facilitating the comparison and notification of national technical rules especially in the light of the evolution of TSIs, such as the extension of scope of the TSIs in January 2015. It will include the provision of tools such as :

- The cross reference table: cross referencing the harmonized list of parameters with the parameters of different TSIs.
- The RDD transfer file: to upload updated information of National Reference Documents into RDD.

For the scope and purpose of the Reference Document application guide, the cleaning-up of NTRs is limited to the rules applicable in conjunction with the authorisation of railway vehicles.

¹ Cf. Project Plan 'Strategy for the alignment of National Technical Rules to the EU legal framework' – reference ERA-REP-128



For the evaluation of the National Technical Rule, the evaluation criteria provided in table 4 will apply. To carry out the evaluation, it is necessary to ensure that all mandatory information required for the notification is provided e.g. the open point, specific case or parameter to which the rule applies etc.

Table 4: NTR evaluation criteria (source: Notif-IT)

	NTR EVALUATION CRITERIA
1.	Is the NTR in the scope of the Art. 17(3) of the Dir. 2008/57/EC?
2.	Does the rule refer to an essential requirement and to a parameter? (Note: for the notification of NON-TSI conform rules, the subsystem & parameter from the list of parameters should be referenced; for notification of rules related to a TSI, the notification must be referenced only to an open point / specific case which will implicitly refers to the parameter and essential requirement)
3.	Is the NTR imposed at MS level?
4.	Is the NTR applicable to all concerned RU or IM? (i.e. it should not hinder competition)
5.	Does the NTR address a NON-TSI conform subsystem? (if the answer is YES proceed to question 8, if it is NO, proceed to question 6)
6.	Where the NTR addresses an area of application covered by a TSI - does it refer to an open point/specific case of the TSI concerned?
7.	Where the NTR refers to an open point or specific case of the TSI concerned - does it specify only requirements to comply with the open point or specific case of the TSI? (in this case only information to fulfill the OP/SC is accepted, all additional information/requirements will be checked to verify if it undermines the TSI).
8.	Does the NTR correctly reference the parameter selected in the notification?
9.	Is the text of the NTR accessible/publicly available?
10.	Is the information regarding publication or issuing body added to the NTR? Is it exhaustive?
11.	For AMENDED rules only: is the AMENDED rule consistent with the rule it amends? (select YES only if the details of the previously registered rule are entered)
12.	Is the information regarding the conformity assessment and verification procedures to be carried out for the NTR added to NTR? Is it exhaustive?
13.	Is the information regarding the bodies designated to carry out the conformity assessment and verification procedures added to NTR? Is it exhaustive?

When completing the information for the respective NTR in RDD, the MSs may transfer, via a dedicated feature in RDD, the rules from RDD to Notif-IT for the notification to EC.

The final stage of the cleaning-up process ends with the validation of the rule by EC and publication of the validation in Notif-IT, following which, in the RDD an 'approved' status is indicated. If the rule has been rejected by the EC it is not applicable further and the MS should take appropriate actions e.g. to withdraw or adapt the rule.



Update of the list of parameters

The Agency proposal for the update of the list of parameters was accepted at RISC 73 on the 04th of June 2015. The new version of the list of parameters shall enter into force on 01/01/2016.

This revision aims to improve the understanding and application of the list of parameters and includes:

- adding/improving the explanation for the parameters,
- removing obsolete parameters,
- considerations necessary due to the update of TSIs (e.g. TSI CCS),
- more detailed specifications,
- new parameters (for some aspects e.g. EMC).

The return of experience from NSAs, GIGs, applicants, other stakeholders and the Agency were used as inputs for the proposal.

The new list of parameters will be accompanied by the cross reference table, a document published and managed by the Agency which shows the relationship between the list of parameters and the parameters of different Technical Specifications for Interoperability. The content of the cross reference table will be included in the RDD.

Until the new list of parameters has entered into force, the rules and their classification of equivalence will be managed in the RDD based on the list of parameters published in Annex III of the Reference Document Application Guide v2.0-22.07.2013. After the entry in force of the revised list of parameters:

- The Agency will implement the updated list of parameters in the RDD.
- The Agency will coordinate with the MSs/NSAs the migration of the former published National Reference Documents to the updated list of parameters considering the following steps:
 - Upon agreement with the MS/NSA, the Agency will provide for review by MS/NSA the list of the existing rules published in the RDD in the structure of the new list of parameters. The list will be provided in the form of an RDD upload file (MS Excel). The rules will be allocated to the parameters in the new list automatically wherever possible (when there is a one to one relationship for the parameters). The MS/NSAs shall revise the list regarding the accuracy of information provided, its "up-to-date" status and also allocate an adequate parameter to those rules for which a one-to-one relatioship between the previous list of parameters and the updated list could not be provided.

• After revision, the RDD upload file shall be submitted by the MS/NSA to the Agency to be uploaded and published in RDD.

<u>Changes to standards referenced by rules used for vehicle authorisation (e.g. EN</u> <u>standard, UIC leaflet, ...)</u>

As standards might be changed by sector organisations for different reasons (including commercial benefits), all concerned Member States need to decide to adapt the national rule to the latest version in force of the standard in cases of a change to a standard. National rules should always give a clear reference to the version of the standard to be considered.

In the event that the version of the standard that is indicated in the national technical rule is proposed to be changed by the MS, the notification procedure according to Directive 98/34/EC for the new (updated) draft of a rule must be applied.

A change to the standards that are referenced in rules might compromise all related classifications of equivalences (A,B,C). As a consequence, these classifications must be re-evaluated. In order not to undermine cross acceptance, this aspect shall be taken into account by all the actors involved in the revision of standards when contemplating changes to standards used in the context of vehicle authorisations.

References to standards or other documentation in National Technical Rules:

To consider the state of the art, but also to give freedom for technical developments, national rules often refer to national or international standards or other documentation issued by railway sector organisations e.g. ENs, UIC leaflets, etc.

The version of the standard or document should be specified and the referenced version should be applied by the applicant. In cases where the standard or document is specified without the identification of the applicable version, the latest version in force of this standard or document should be applied by the applicant.

The version of the standards to be used during the duration project should be specified in the preengagement baseline.



6.3 THE NATIONAL LEGAL FRAMEWORKS

Establishing a single European process

To implement a harmonised framework it is necessary that the MSs, supported by the Agency, adapt their National Legal Frameworks for vehicle authorisation to be aligned with EU framework (the generic legal framework).

The Agency will support the MSs, a procedure for this is under development.

Generic legal framework

The generic legal framework is composed of generic flowcharts and background information. The generic legal framework should be used to:

- record each MS's NLF; and
- allow easy access to the NLF for the applicants.

To record the background information, a format other than the generic flowchart shall be used.

The generic flowcharts and the background information in Annex I and II cover all authorisation cases and each activity/output may be developed in order to collect the necessary information:

- references/hyperlink to the rules (legal texts or guidelines); and
- characteristics of the activity/output, e.g. format (electronic, paper based).

The generic flowcharts also contain:

- references to EU legislation; and
- the roles involved.

Each MS will use the generic legal framework to describe its own NLF and either indicate non-used parts of it or add comments and information where necessary.

How to read the flowcharts

Flowcharts

Standard flowchart that describes the authorisation process, using 6 Unified Modelling Language symbols:

\bigcirc		\bigcirc		
Start/End	Activity	Decision with multiple answers	Output	Substage
Splitter/merger	Int	ermediate Start/End		
Reference: ERA/GUI/XA	********	**************************************	************** 8.0	Page 28 of 80



Principles

- The symbols are linked by directed arrows.
- It is indicated on the merger symbol if parallel arrows are considered as "And" or "Or".
- Splitter symbol is always considered as "And".
- The flowchart starts and ends with the same symbol.
- For legibility purposes, logic loops (that perform an activity or a series of activities until the condition is met) are not represented in the flowcharts.
- An activity is an action that requires the use of a verb, e.g. Request, Provide, Modify.
- A decision is often an answer to a question. The answer is often binary Yes/No but may be also multiple alternatives.
- An output is the result of an action and is often a document either paper based or electronic based.
- Outputs are placed with the recipient.
- The role indicated in the flowchart is to be understood as the role responsible for the activity. Other actors might be supporting but are not specified in the flowchart.
- If there is a timeline defined in the legislation this is indicated in the activity/decision/output by a: (*).
- The activities/decisions/outputs have been colour coded to indicate if it is:
 - Green = Recommended practice
 - Purple = Mandatory according to EU legislation
 - Brown = Mandatory according to national legislation
- References to legislation have been colour coded to indicate if it is:
 - Yellow = EU
 - Grey = National
- Note related to:
 - $\circ~$ Either mandatory activitiy according to EU legislation that is not transposed by or applied in a MS
 - Or other activity (recommended practice, mandatory according to national legislation) giving additional information
 - are reflected in text boxes with white background and dashed border
- The following EU abbreviations are used:
 - ID Interoperability Directive 2008/57/EC
 - R Recommendation 2014/897/EU
 - CSM CSM Regulation 402/2013

Information on National Legal Framework to be provided in addition to the flowcharts

To collect the necessary information on NLF some information has to be provided in addition to the flowcharts.



In general, information is needed for rules and documents. This is described in the sections below; and the activities/decisions/outputs that require additional information are indicated with dense borders in the flowcharts.

There might be other additional information that is not related to rules or documents.

For rules specify:

- the detailed reference of the rule(s) that specify the requirements; and
- language(s) that the rule(s) are available in.

Background information

Making background information available to the actors is common practice.

Most of the information required is necessary for the understanding of the implementation measures taken by MSs when transposing the Interoperability Directive according to the Recommendation 2014/897/EU.

In order to make the procedure transparent to all involved parties, background information is therefore included as the prerequisite for the process.

Background information comprises descriptions of:

- the authorisation processes/procedures and guidelines;
- roles and responsibilities of the relevant actors;
- fees;
- contact points; and
- national legal timeframes.

Publication and Maintenance of the National Legal Frameworks

Managing the generic legal framework

1. Planning

Following EU legislation update and/or any EU and/or Agency recommendation to improve vehicle authorisation or in the light of experience the Agency will review the generic legal framework once a year and make any proposal it considers necessary to the Cross Acceptance Working Party.

2. Updating

The Agency is responsible for updating the generic legal framework. For each update the Agency will take into account input from the stakeholders.

3. Organisation & coordination of activities

The Agency collects input for the improvement of the generic legal framework. Stakeholders input can be introduced either via Sector organisations, MSs/NSAs or from individual users. This is done by sending an e-mail to <u>RDD@era.europa.eu</u>

The Agency proposal for an update of the generic legal framework will be posted on the Agency's website at least 1 month before its submission to the Cross Acceptance Working Party.



4. Decision making

The Cross Acceptance Working Party is responsible for:

- a. Validating the Agency proposal and,
- b. approving the publication of the generic legal framework.

Managing National Legal Framework

When the National Legal Framework for a MS has been validated and published by the MS in the RDD then the access to the National Legal Framework in pdf-format on the Agency's website will be removed.

1. Planning

The MS/NSA will review their National Legal Framework following:

- a. EU legislation update and/or any EU and/or Agency recommendation to improve vehicle authorisation; or
- b. National legislation update

2. Updating

The first contact person identified in the Background information ensures that the update of the National Legal Framework takes place.

3. Organisation & coordination of activities

When an update of the generic legal framework is published, the Agency notifies each contact person responsible for the National Legal Framework in the RDD by email from RDD@era.europa.eu.

The updated National Legal Framework will be published within 1 month of the notification by the Agency.

When a new national rule related to vehicle authorisation is notified in NOTIF-IT, the updated National Legal Framework should be published within 1 month of the notification.

4. Decision making

The first contact person identified in the Background information is responsible for:

- a. Validating the updated National Legal Framework and,
- b. approving its publication.



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ANNEX I – FORM FOR BACKGROUND INFORMATION

1. General Information

Contact details for National Legal Framework						
Reporting country Organisation Name Office phone number						
Contact name	E-mail	Mobile phone number				

		ls there (Yes/No)	Classification: (general, specific, detailed)	Detailed reference of the rule(s)	Language(s) that the rule(s) are available in	MSs
Interoperability Directive Transposed?			N/A			
National guideline			N/A			
Additional authorisation required			N/A			
Definitions:	Vehicle type					N/A
	Time validity of a type		N/A			N/A
	Upgrading					
	Renewal					
Specify the on-track testing arrangements - administrative,						
technical and operational requirements						
Coordination with other MSs	Procedure for simultaneous application					

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Fees	Is there (Yes/No)	Amount (Euro)	Conditions (fixed/hourly rate)	Detailed reference of the rule	Language(s) that the rule(s) are available in
To obtain the National guideline					
For the acknowledgement of receipt of application					
For issuing authorisation					
For refusal of authorisation					
For the appeal procedure to NSA					
For the appeal procedure to Appeal Body					
For the NSA acting as assessment body (DeBo/CSM)					
For NSA issuing certificates (DeBo/CSM)					

*****	*****	****
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2. Roles and responsibilities

The following roles/actors might be involved in the authorisation procedure for the placing in service of vehicles: applicant, RU, IM, keeper, NoBo, DeBo, NSA, MS, Assessment body (CSM) and others (laboratories, etc.).

Some actors may have several roles. For example, an applicant can be also a RU, or a NoBo can be also a DeBo. The purpose of this table is to clarify the requirements, if any, for each of the above roles.

This table is to be filled with the following information:

- the reference to the rules that describe each role and the language(s) in which these rules are available;
- a list of criteria that enables the actor to undertake a role; and
- a list of all actors able to undertake a role.

Requirement on the actor for the role	Applicant	IM	NoBo	DeBo	NSA	MS	Appeal Body	Assessment Body (CSM)	Competent Entity	Other(*)
Detailed reference of the rule(s)										
Language(s) that the rule(s) are available in:										
List of acceptance criteria	-									
List of actors entitled to act as:		N/ A	N/A							

(*) please describe the role and legal basis for the involvement of any "other" actor not mentioned in the Interoperability and Safety Directives

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3. Timeframe

	Specify timeframe	Detailed reference of the rule(s)	Language(s) that the rule(s) are available in	
For new authorisation cases after upgrading,				
For all authorisation cases where there is a refusal of authorisation according to Art 21.7 of Interoperability Directive:	Request for review of the refusal by the applicant to the NSA			
	Maintain of the refusal by the NSA			
	Request for review of the refusal by the applicant to the appeal body – Possible opinion of the Agency if required by the appeal body			
For additional authorisation case of TSI conform vehicles	NSA decision to be taken as soon as possible and not later than, according to Art. 23.7 of Interoperability Directive: (a) after submission of the authorisation file			
	(b) after provision of any additional information requested by the national safety authority, where applicable			
	(c) after provision of the results of any tests requested by the national safety authority, where applicable			
For additional authorisation case of non- TSI conform vehicle	NSA decision to be taken as soon as possible and not later than, according to Art. 25.5 of Interoperability Directive: (a) after submission of the authorisation file			
	(b) after provision of any additional information requested by the national safety authority, where applicable			
	(c) after provision of the results of any tests requested by the national safety authority, where applicable			
For all additional authorisation cases: TSI and non-TSI conform vehicles	For tests/checks (including network compatibility) with the identified actors, in particular the IM, to take place not later than, according to Art. 23.6 and Art.25.4 of Interoperability Directive			
	when there is a deemed authorisation according to Art.21.8 of Interoperability Directive			

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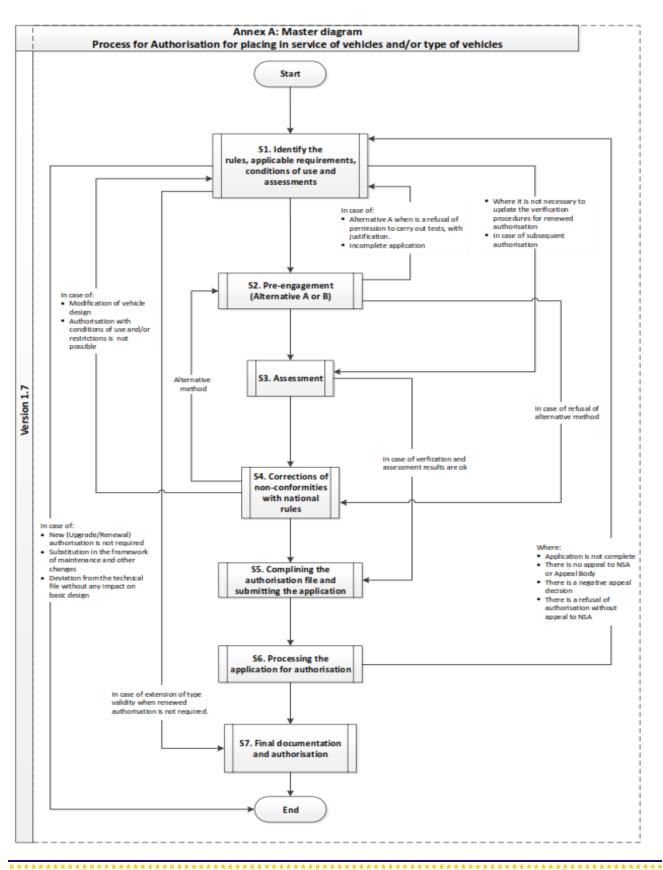
ANNEX II – STAGES OF THE PROCESS FOR AUTHORISATION

The process is composed of background information and eight stages. The background information is the prerequisite before the description of the process.

Stages of the process:

- Stage 1 Identify the rules, applicable requirements, conditions of use and assessments;
 - Stage 1 Substage 1: Decide on authorisation case;
 - Stage 1 Substage 2: Derogation from TSI(s);
- Stage 2 Pre engagement Alternative A (when the approach to carry out tests is to include a Competent Entity to give permission to carry out tests):
 - Pre engagement Alternative B (when the approach to carry out tests is not to include a Competent Entity):
 - Substage 1: Evaluate proposal for alternative method to meet essential requirements;
 - Substage 2: Permission to carry out on track tests;
- Stage 3 Assessment;
- Stage 4 Corrections of non-conformities with national rules;
- Stage 5 Compiling the authorisation file and submitting the application;
- Stage 6 Processing the application for authorisation:
 - Substage 1: Appeal;
- Stage 7 Final documentation and authorisation;
- Stage 8 Registration of the vehicle authorisation in the NVR.





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Stage 1. Identify the rules, applicable requirements, conditions of use and assessments <u>Decision on applicable authorisation case</u>

The first step in stage 1 is for the applicant to make a decision on which authorisation case is applicable, except for the case of a new authorisation where the MS makes the decision. The applicant, in case of renewal or upgrading, must inform the MS to ask if a new authorisation is required or not. This is based on the background information in the NLF documentation.

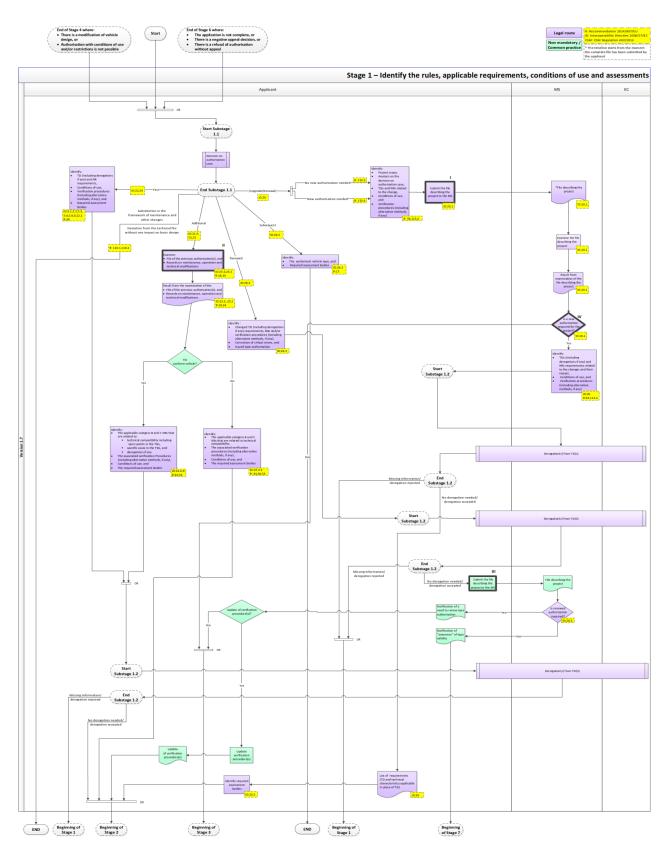
Note: A change may include software modification.

Information on NLF to be provided in addition to the flowcharts

Specify:

- requirements for the content of the file describing the project in case of upgrading/renewal;
- requirements for the content of the file of the previous authorisation(s);
- requirements for the content of the records on maintenance, operation and modifications;
- requirements for the content of the file describing the project in case of renewed authorisation;
- the criteria for a new authorisation.

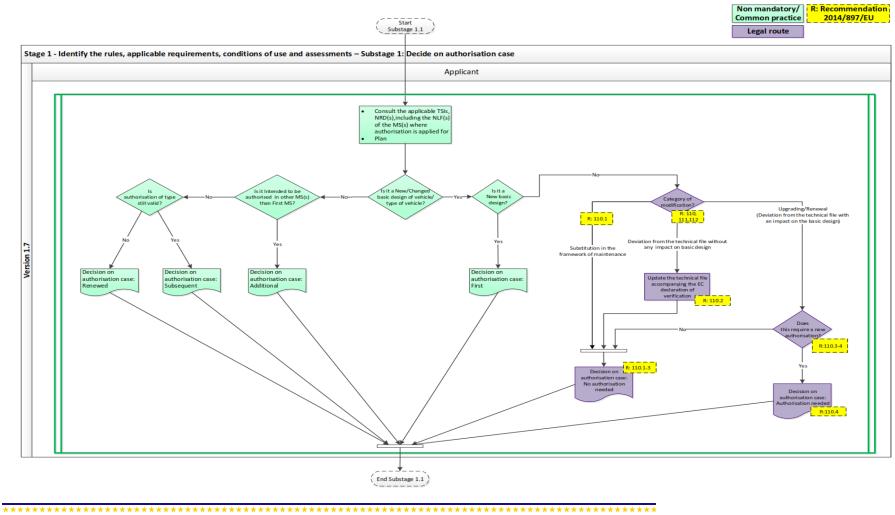






European Railway Agency

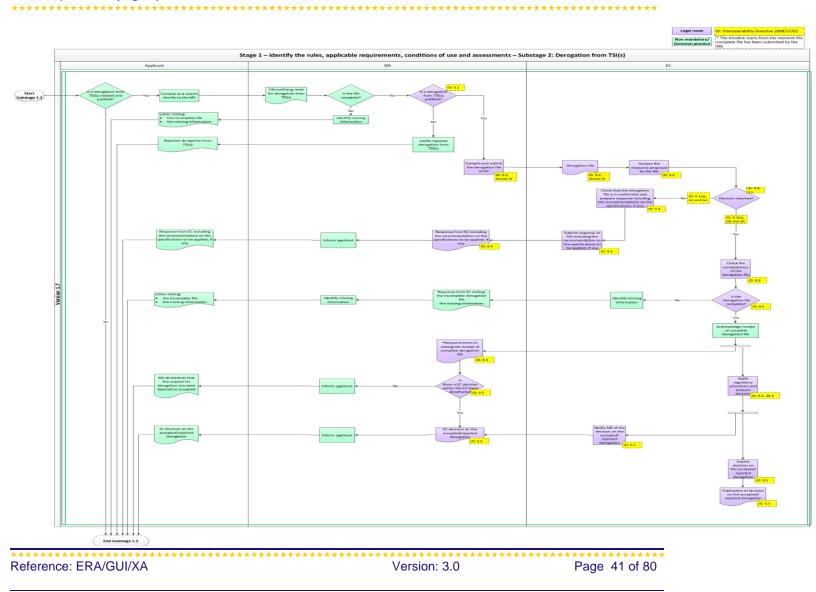
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Stage 2. Pre-engagement (Alternative A/Alternative B)

Pre-engagement has been included as it is common "good" practice.

Description of the process

The process is described in the flowchart. Additional explanations are provided in the section below.

For national rules, the assessments, the related verification procedures and the required evidence for each MS are recorded in part 2 of the Reference Document.

The roles' involvement in the pre-engagement stage concerns the following:

- Applicant- all issues of pre-engagement.
- NSA- applicable rules including specific national arrangements for on track tests.
- Assessment Bodies- arrangements with the Applicant .
- Infrastructrure Manager for access to carry out tests.
- Competent entity required by the Member State for Alternative A.

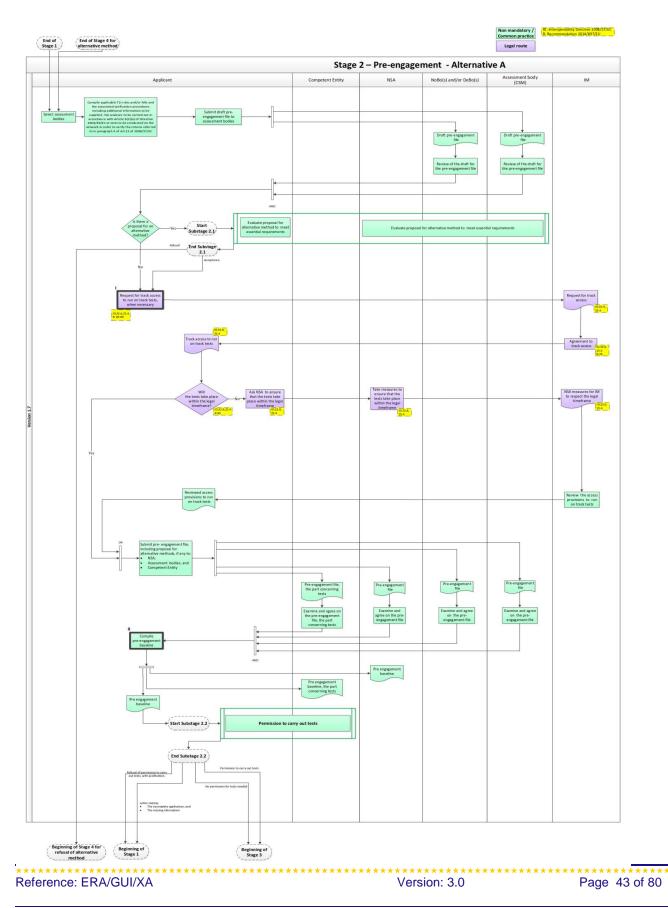
The output of this stage is the pre-engagement baseline agreed between the involved roles.

Information on NLF to be provided in addition to the flowcharts

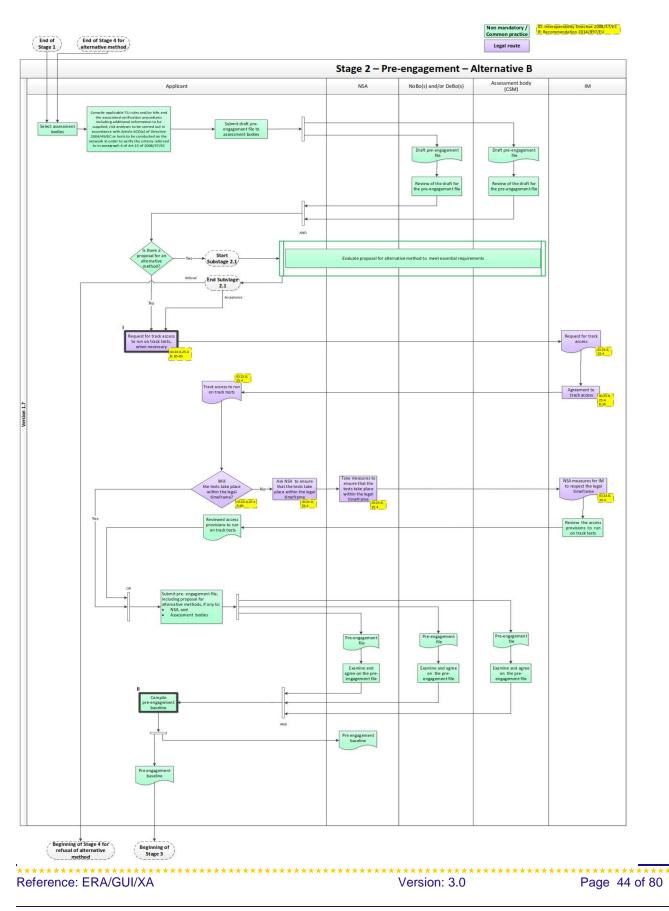
Specify:

- procedure for establishing the conditions to run on track tests;
- procedure for establishing pre-engagement baseline;
- the requirements and the content for the application for permission to carry out tests;
- the criteria for decision on granting the permission to carry out tests.





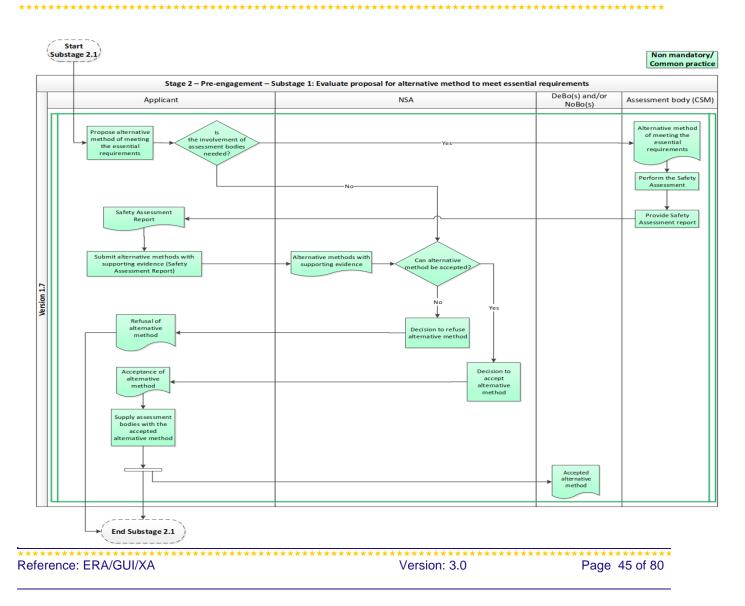






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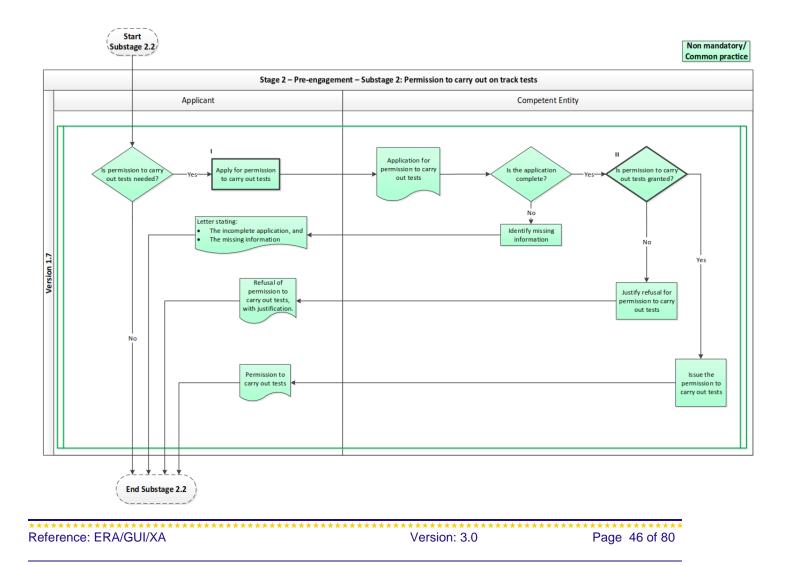
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Stage 3. Assessment

Assessment is a stage in the process for vehicle placing into service mentioned in the Interoperability Directive.

Description of the process

All the necessary assessments for vehicle type/vehicle authorisation are covered by this stage; however the detailed assessments (subsystems, parts of subsystems, stages of the verifications, Interoperability Constituents) are not developed here.

Each Assessment Body is responsible for compiling the documents related to the assessments performed.

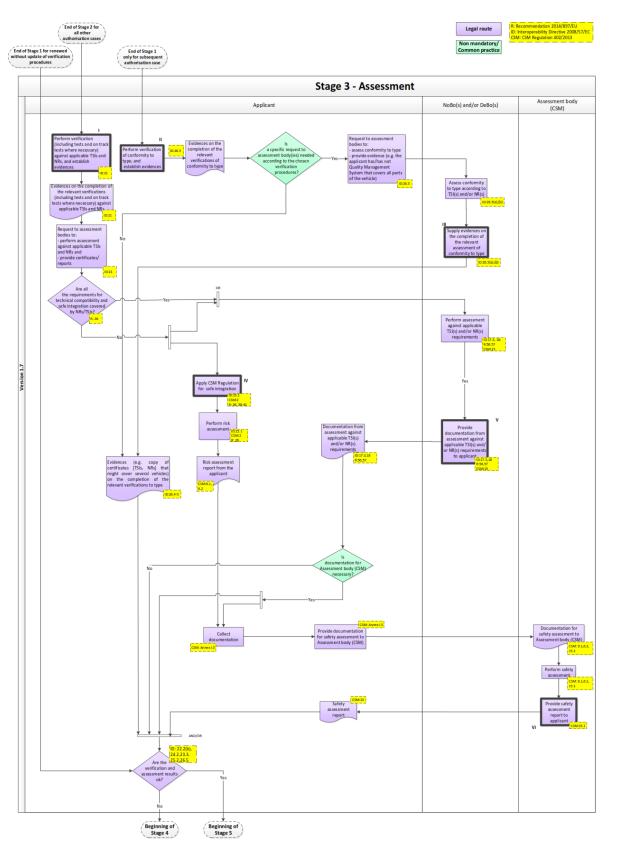
The applicant performs the verifications and establishes the evidences.

Information on NLF to be provided in addition to the flowcharts

Specify:

- the requirements for risk assessment;
- the requirements for evidence;
- the requirements for the content of the safety assessment report.





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Stage 4. Correction of non-conformities with national rules

It is assumed that rules should be fully complied with unless a derogation from TSI(s) and/or National Rule(s) is given and therefore options for the applicant are limited to changing the design or changing the conditions of use.

Description of the process

Remedial actions can be repeated until conformity is reached.

Proposal for conditions of use and/other restrictions should be based on the necessary assessments according to Stage 3. Restrictions should be avoided as much as possible.

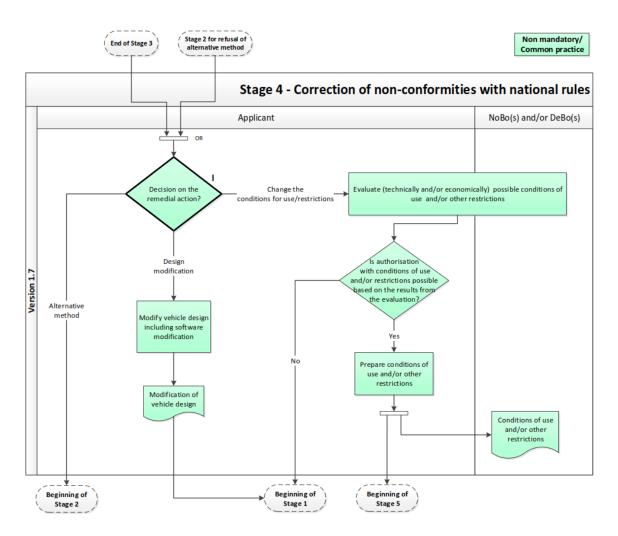
Note: APS takes place before the vehicle is actually placed in service. The use of a vehicle and its safe operation (including operation and maintenance) is covered by the RU's SMs. What the NSA checks in respect of operation and maintenance for APS is only the design operating state of the vehicle.

Information on NLF to be provided in addition to the flowcharts

Specify:

- possible remedial actions: Alternative method, Design modification, Change of the conditions of use/restrictions;
- the criteria for decision on the remedial action.







Stage 5. Compilling the authorisation file and submitting the application

Description of the process

Compiling the authorisation file covers all the activities related to the collection of the supporting documentation that is required for the application.

The official application for authorisation is submitted when the authorisation file is complete as per the agreed scope.

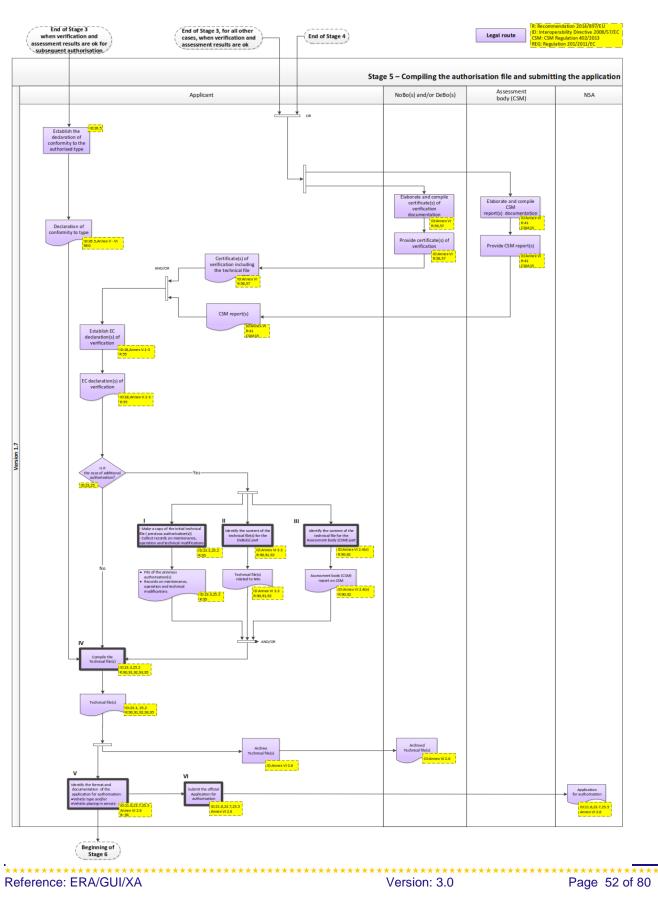
The certificates should contain the conditions of use and/or restrictions, if any, as described in Interoperability Directive.

Information on NLF to be provided in addition to the flowcharts

Specify:

- requirements for the content of the authorisation file (including the "technical files");
- if there is a clear check list to be adhered to when compiling the authorisation file;
- the accepted documentation for authorisation granted before the implementation of Interoperability Directive;
- the requirements and the content for the official application;
- time frame for the submission of the official application from the pre-engagement baseline, if any.







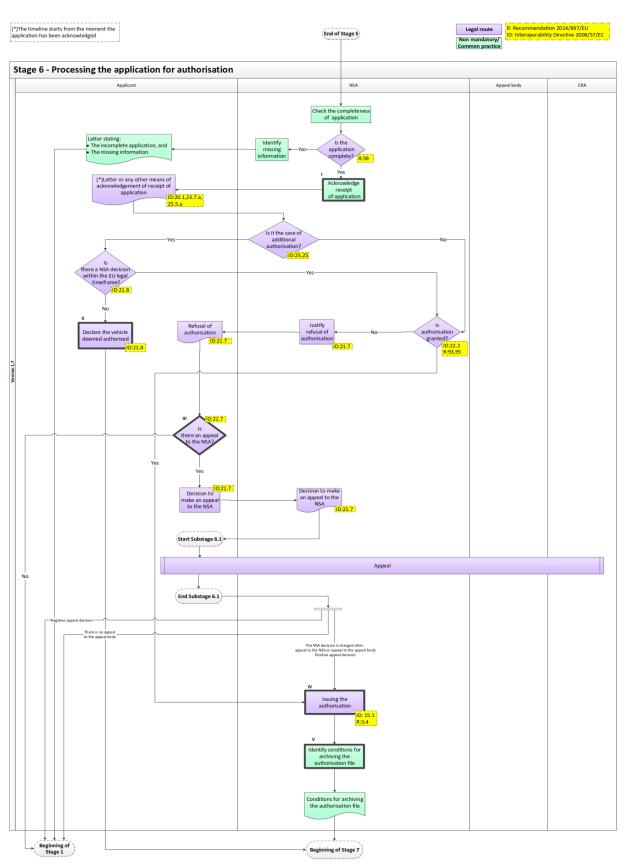
Stage 6. Processing the application for authorisation

Information on NLF to be provided in addition to the flowcharts

Specify:

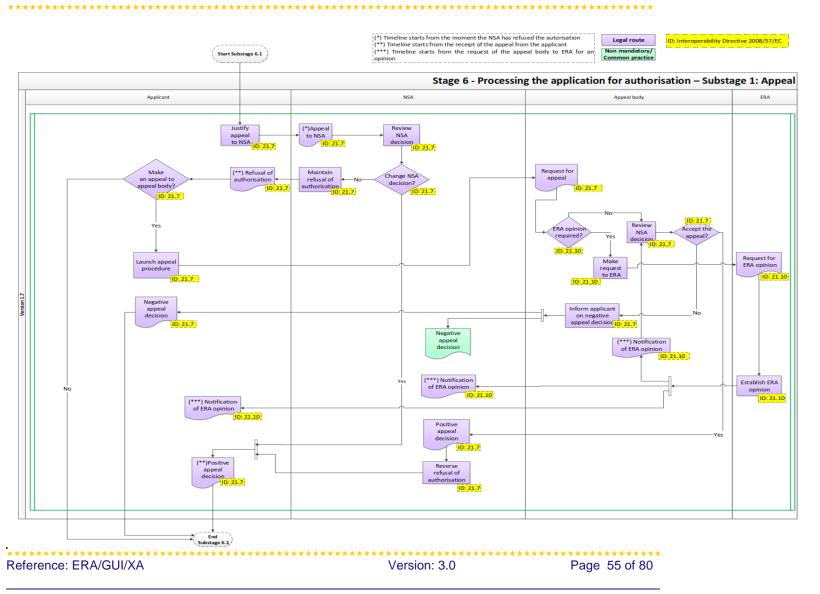
- the requirements for the acknowledgement of the receipt of application;
- the requirements for issuing authorisation;
- the requirements for appeal to NSA;
- the requirements for the content of justification of appeal to NSA;
- the requirements for launching appeal to the appeal body;
- the requirements for NSA archiving the authorisation file;
- the requirements for deemed authorisation.





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Stage 7. Final documentation and authorisation

Information on NLF to be provided in addition to the flowcharts

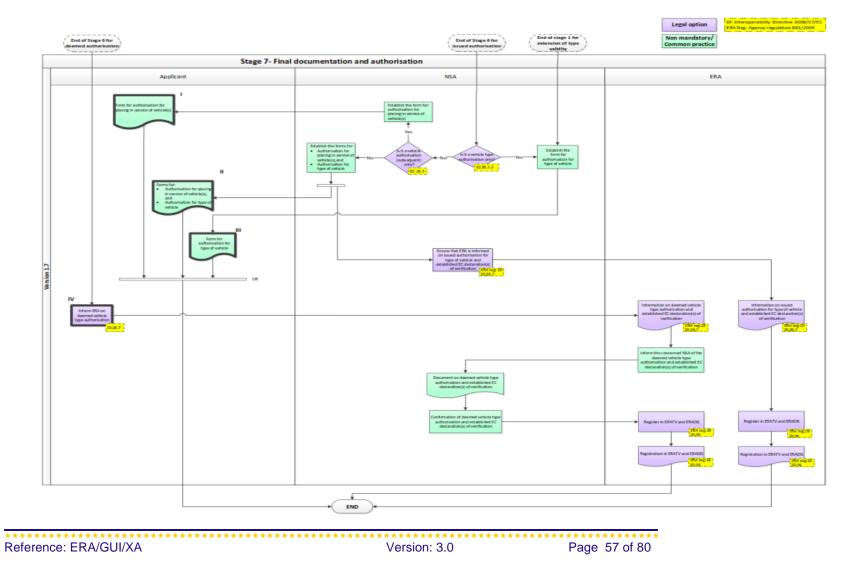
Specify:

- the format of issued authorisation (of vehicle type and of placing in service of vehicle);
- the procedure for informing the Agency on deemed vehicle type authorisation.



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Stage 8 – Registration of the vehicle authorisation

Note: As it was mentioned in Version 2.0 of the Application Guide, the registration in the NVR is not part of the authorisation process as it takes place after authorisation. This stage was added due to numerous demands in order to have the practical process described.



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Legal option End of Stage 6 for issued authorisation Non mandatory ommon practic Stage 8 – Registration of the vehicle authorisation in the NVR All other Registration Entities (for NVR update) Registration Entity (For registration of the additional Applicant for registration Registration Entity (For registration of the first authorisation) autorisation) END **** ******* Reference: ERA/GUI/XA Version: 3.0 Page 59 of 80



ANNEX III - TEMPLATE FOR APPLICATION FOR VEHICLE AUTHORISATION

AUTHORISATION TEMPLATE

Title (Vehicle's designation and the applicant's own reference number)

Template status			
PRE ENGAGEMENT	ASSESSMEN	Т	AUTHORISATION FILE
Version management			
Version:		Version date:	
1 APPLICANT			
Name of applicant			
Postal address			
Postal code		Town/Country	
Phone		Official e-mail	
Website			
2 CONTACT PERSON			
Name		Title/Function	
Phone		E-mail	



3 CONTRACTING ENTITY		
Name of Contracting entity	Contracting Entity is the same as the Applicant	
Postal address		
Postal code	Town/Country	
Phone	Official e-mail	
Website		
4 THE APPLICATION RELATES TO: F	Ref: Annex II Section 2.6 of Directive 2008/57/EC	
Self-propelling thermal and/or elect	tric trains	
A Trainset		
An Electric and/or Diesel Multiple Ur	nit	
	nit	
An Electric and/or Diesel Multiple Ur		
An Electric and/or Diesel Multiple Ur		
An Electric and/or Diesel Multiple Ur A Railcar Thermal and/or electric traction un		
An Electric and/or Diesel Multiple Ur A Railcar Thermal and/or electric traction un A Locomotive A Shunter	its:	
 An Electric and/or Diesel Multiple Ur A Railcar Thermal and/or electric traction un A Locomotive A Shunter Passenger carriages and other relation 	its:	
An Electric and/or Diesel Multiple Ur A Railcar Thermal and/or electric traction un A Locomotive A Shunter	its:	
 An Electric and/or Diesel Multiple Ur A Railcar Thermal and/or electric traction un A Locomotive A Shunter Passenger carriages and other related A Driving Trailer 	its:	
 An Electric and/or Diesel Multiple Ur A Railcar Thermal and/or electric traction un A Locomotive A Shunter Passenger carriages and other related of the A Driving Trailer A Van 	its:	

Mobile railway infrastructure construction & maintenance equipment

On track Machines (OTMs)

Infrastructure inspection vehicles

Freight wagons, COMMISSION REGULATION (EU) No 321/2013

Freight wagons including vehicles designed to carry lorries



5 PURPOSE OF USE THE VEHICLE(S) AND THE INTENDED NETWORKS WHERE TECHNICAL COMPATIBILITY WILL BE ESTABLISHED.

Please state all "Coded restrictions" (from NVR decision, ERA/GUI/01-2012/INT, ERATV)

Please state all "Non-coded restrictions" (ERA/GUI/01-2012/INT, ERATV)

6 Application type:

First authorisation for vehicle type/vehicle

New authorisation for upgraded/renewed vehicle type/vehicle

Additional authorisation for vehicle type/vehicle already authorised by an EU MS for TSI or non TSI conform vehicles

Renewed authorisation for a type authorisation that is not valid anymore

Subsequent authorisations of vehicles conforming to an authorised vehicle type (authorisation of vehicles of the same type)

7 Previous vehicle authorisation/s

Previous vehicle authorisation: Yes: 🗌 No: 🗌		
NSA		
date of APS		
EIN reference number		



8 Authorisation project Scope and Definition		
General authorisation project information		
Technical scope and interfaces		
Authorisation project plan, schedule, milestones		
Project start date		
Contract signing date		
Technical File Completion date (expected)		
Technical File Completion date (actual)		
Date of APIS (expected)		
Date of first operation (expected)		
Derogations sought from TSI version(s) – please give reasons for seeking derogations		



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV		
	Parameter	
0	Identification of the type	
0.1	TYPE ID	
0.2	Versions included in this type	
0.3	Date of record in ERATV	
1	General information	
1.1	Type name	
1.2	Alternative type name	
1.3	Manufacturer's name	
1.4	Category	
1.5	Subcategory	
2	Conformity with TSIs	
2.1	Conformity with TSI	
2.2	Reference of "EC type examination certificates" (if module SB applied) and/or "design verification certificate" (if module SH1 applied)	
2.3	Applicable specific cases (specific cases conformity with which has been assessed)	
2.4	Sections of TSI not complied with	
3	Authorisations	
3.1	Authorisation in	
3.1.1	Member State of authorisation	
3.1.2	Current status	
3.1.2.1	Status	
3.1.2.2	Validity of authorisation (if defined)	



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV		
	Parameter	
3.1.2.3	Coded restrictions, from NVR decision	
3.1.2.4	Non-coded restrictions	
3.1.3	Historical	
3.1.3.1	Original authorisation	
3.1.3.1.1	Date	
3.1.3.1.2	Authorisation holder	
3.1.3.1.3	Authorisation document reference	
3.1.3.1.4	National certificate references (if applicable)	
3.1.3.1.5	Parameters for which conformity to applicable national rules has been assessed. National Reference document that has been applied	
3.1.3.1.6	Comments	
3.1.3.X	Modification of authorisation	
3.1.3.X.1	Type of modification	
3.1.3.X.2	Date	
3.1.3.X.3	Authorisation holder (if applicable)	
3.1.3.X.4	Authorisation modification document reference	
3.1.3.X.5	National certificate references (if applicable)	
3.1.3.X.6	Applicable national rules (if applicable)	
3.1.3.X.7	Comments	
3.X	Authorisation in	



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV Parameter 4 Technical characteristics of the vehicle 4.1 General technical characteristics 4.1.1 Number of driving cabs 4.1.2 Speed 4.1.2.1 Maximum design speed (km/h) 4.1.2.2 Maximum speed when empty (km/h)4.1.3 Wheel set gauge 4.1.4 Conditions of use regarding train formation 4.1.5 Maximum number of trainsets or locomotives coupled together in multiple operation. 4.1.6 Number of elements in the rake of freight wagons (only for subcategory "rake of freight wagons") 4.1.7 Letter marking 4.1.8 Type meets the requirements necessary for validity of the vehicle authorisation granted by one Member State in other MSs 4.1.9 Dangerous goods for which the vehicle is suitable (tank code) 4.1.10 Structural category 4.2 Vehicle kinematic gauge 4.2.1 Vehicle kinematic gauge (interoperable gauge)

*****	****	******
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9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV Parameter 4.2.2 Vehicle kinematic gauge (other gauges assessed using the kinematic method) 4.3 **Environmental conditions** 4.3.1 Temperature range 4.3.2 Altitude range Snow, ice and hail conditions 4.3.3 Ballast pick up (for v≥190km/h 4.3.4 vehicles only) 4.4 Fire safety 4.4.1 Fire safety category 4.5 Design mass and loads Permissible payload for different 4.5.1 line categories 4.5.2 Design mass or Weighed mass 4.5.2.1 Design/Weighed mass in working order 4.5.2.2 Design/Weighed mass under normal payload 4.5.2.3 Design/Weighed mass under exceptional payload 4.5.3 Static axle load 4.5.3.1 Static axle load in working order Static axle load under normal 4.5.3.2 payload/ maximum payload for freight wagons Static axle load under exceptional 4.5.3.3 payload



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV Parameter 4.5.4 Quasi-static guiding force (if exceeds the limit defined in TSI or not defined in the TSI) Rolling stock dynamic behaviour 4.6 4.6.1 Cant deficiency (maximum uncompensated lateral acceleration) for which the vehicle has been assessed 4.6.2 Vehicle equipped with a cant deficiency compensation system ("tilting vehicle") In service limits of equivalent 4.6.3 conicity (or worn wheel profile) for which the vehicle has been tested 4.7 Braking 4.7.1 Maximum train deceleration 4.7.2 Service braking 4.7.2.1 Brake performance on steep gradients with normal payload 4.7.2.1.1 Reference case of TSI 4.7.2.1.2 Speed (if no reference case is indicated) Gradient (if no reference case is 4.7.2.1.3 indicated) 4.7.2.1.4 Distance (if no reference case is indicated) 4.7.2.1.5 Time (if distance is not indicated) (if no reference case is indicated) 4.7.3 Parking brake 4.7.3.1 All vehicles of this type must be equipped with a parking brake ******



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV		
	Parameter	
	(parking brake mandatory for vehicles of this type)	
4.7.3.2	Parking brake type (if the vehicle is fitted with it)	
4.7.3.3	Maximum gradient on which the unit is kept immobilized by the parking brake alone (if the vehicle is fitted with it)	
4.7.4	Braking systems fitted on the vehicle	
4.7.4.1	Eddy current brake	
4.7.4.1.1	Eddy current brake fitted	
4.7.4.1.2	Possibility of preventing the use of the eddy current brake (only if fitted with eddy current brake)	
4.7.4.2	Magnetic brake	
4.7.4.2.1	Magnetic brake fitted	
4.7.4.2.2	Possibility of preventing the use of the magnetic brake (only if fitted with magnetic brake)	
4.7.4.3	Regenerative brake (only for vehicles with electrical traction)	
4.7.4.3.1	Regenerative brake fitted	
4.7.4.3.2	Possibility of preventing the use of the regenerative brake (only if fitted with regenerative brake)	
4.8	Geometrical characteristics	
4.8.1	Vehicle length	
4.8.2	Minimum in-service wheel diameter	



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV		
	Parameter	
4.8.3	Shunting restrictions	
4.8.4	Minimum horizontal curve radius capability	
4.8.5	Minimum vertical convex curve radius capability	
4.8.6	Minimum vertical concave curve radius capability	
4.8.7	Height of loading platform (for flat wagons and combined transport)	
4.8.8	Suitability for transport on ferries	
4.9	Equipment	
4.9.1	Type of end coupling (indicating tensile and compressive forces)	
4.9.2	Axle bearing condition monitoring (hot axles box detection)	
4.9.3	Flange lubrication	
4.9.3.1	Flange lubrication fitted	
4.9.3.2	Possibility of preventing the use of the lubrication device (only if fitted with flange lubrication)	
4.10	Energy supply	
4.10.1	Energy supply system	
4.10.2	Maximum power (to be indicated for each energy supply system the vehicle is equipped for)	
4.10.3	Maximum rated current from the catenary (to be indicated for each electrical energy supply system the vehicle is equipped for)	



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV		
	Parameter	
4.10.4	Maximum current at standstill per pantograph (to be indicated for each DC systems the vehicle is equipped for)	
4.10.5	Height of interaction of pantograph with contact wires (over top of rail) (to be indicated for each energy supply system the vehicle is equipped for)	
4.10.6	Pantograph head (to be indicated for each energy supply system the vehicle is equipped for)	
4.10.7	Number of pantographs in contact with the overhead contact line (OCL) (to be indicated for each energy supply system the vehicle is equipped for)	
4.10.8	Shortest distance between two pantographs in contact with the OCL (to be indicated for each energy supply system the vehicle is equipped for; to be indicated for single and, if applicable, multiple operation) (only if number of raised pantographs is more than 1)	
4.10.9	Type of OCL used for the test of current collection performance (to be indicated for each energy supply system the vehicle is equipped for) (only if number of raised pantographs is more than 1)	



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV		
	Parameter	
4.10.10	Material of pantograph contact strip the vehicle may be equipped with (to be indicated for each energy supply system the vehicle is equipped for)	
4.10.11	Automatic dropping device (ADD) fitted (to be indicated for each energy supply system the vehicle is equipped for)	
4.10.12	TSI conform energy meter for billing purposes installed on board	
4.11	Noise related characteristics	
4.11.1	Pass-by noise level (dB(A))	
4.11.2	Pass-by noise level was measured under reference conditions	
4.11.3	Stationary noise level (dB(A))	
4.11.4	Starting noise level (dB(A))	
4.12	Passenger related characteristics	
4.12.1	General passenger related characteristics	
4.12.1.1	Number of fixed seats	
4.12.1.2	Number of toilets	
4.12.1.3	Number of sleeping places	
4.12.2	PRM related characteristics	
4.12.2.1	Number of priority seats	
4.12.2.2	Number of wheelchair spaces	
4.12.2.3	Number of PRM accessible toilets	
4.12.2.4	Number of wheelchair accessible sleeping places	



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV		
	Parameter	
4.12.3	Passenger access and egress	
4.12.3.1	Platform heights for which the vehicle is designed.	
4.12.3.2	Description of any integrated boarding aids (if provided)	
4.12.3.3	Description of any portable boarding aids if considered in the design of the vehicle for meeting the PRM TSI requirements	
4.13	On-board CCS equipment	
4.13.1	Signalling	
4.13.1.1	ETCS equipment on-board and its level	
	(Manufacturer, HW Version, SW Version, Level)	
4.13.1.2	ETCS baseline, version (x.y). If the version is not fully compatible it shall be indicated in brackets	
4.13.1.3	ETCS on-board equipment for reception of infill-function information via loop or GSM-R (specify via radio-infill of euroloop)	
4.13.1.4	ETCS national applications implemented (NID_XUSER of Packet 44)	
4.13.1.5	Class B or other train protection, control and warning systems installed (system and, if applicable, version)	
	(Manufacturer, HW Version, SW Version)	



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV			
	Parameter		
4.13.1.6	Special conditions implemented on-board to switch over between different train protection, control and warning systems.		
4.13.2	Radio		
4.13.2.1	GSM-R equipment on board and its version (FRS and SRS)		
	(Manufacturer, HW Version, SW Version, Baseline FRS/SRS)		
4.13.2.2	Number of GSM-R mobile sets in driving cab for data transmission		
4.13.2.3	Class B or other radio systems installed (system and, if applicable, version)		
	(Manufacturer, HW Version, SW Version)		
4.13.2.4	Special conditions implemented on-board to switch over between different radio systems.		
4.14	Compatibility with train detection systems		
4.14.1	Type of train detection systems for which the vehicle has been designed and assessed		
4.14.2	Detailed vehicle characteristics related to compatibility with train detection systems		
4.14.2.1	Maximum distance between consecutive axles		
4.14.2.2	Minimum distance between consecutive axles		



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV Parameter 4.14.2.3 Distance between the first and the last axle 4.14.2.4 Maximum length of the vehicle nose 4.14.2.5 Minimum wheel rim width 4.14.2.6 Minimum wheel diameter 4.14.2.7 Minimum flange thickness 4.14.2.8 Minimum flange height 4.14.2.9 Maximum flange height Minimum axle load 4.14.2.10 4.14.2.11 Metal and inductive componentsfree space between wheels 4.14.2.12 Wheel material is ferromagnetic 4.14.2.13 Maximum sanding output 4.14.2.14 Possibility of preventing the use of sanding 4.14.2.15 Vehicle metal mass 4.14.2.16 Maximum impedance between opposite wheels of a wheelset 4.14.2.17 Minimum vehicle impedance (between wheels and pantograph) (only for vehicles equipped for 1500V or 3000V DC) Electromagnetic interferences 4.14.2.18 caused by return current in the rails 4.14.2.19 Electromagnetic emission of the train with respect to compatibility with train detection systems



9 TECHNICAL CHARACTERISTICS OF THE VEHICLE, ERA/GUI/01-2012/INT, ERATV Parameter **10 ADDITIONAL CCS INFORMATION REQUIRED FOR AUTHORIZATION OF THE ETCS ON-BOARD SUBSYSTEM** ETCS Display (DMI) (Manufacturer, 10.1 HW Version, SW Version) 10.2 **Odometry equipment** (Manufacturer, HW Version, SW Version) 10.3 Driver's activity control device (Manufacturer, HW Version, SW Version) 10.4 On-board recorder of juridical data (Manufacturer, HW Version, SW Version) 10.5 **GSM-R** Display (DMI) (Manufacturer, HW Version, SW Version)



11 AUTHORISATION PROCESS					
Notified Body's (possibility to have more than one NoBo)					
Name of Notified Body I	No Bo's ID number				
Postal address					
Postal code	Town/Country				
Phone	Official e-mail				
Website					
Name of Notified Body II		No Bo's ID number			
Postal address					
Postal code	Town/Country				
Phone	Official e-mail				
Website					



12 DESIGNATED BODY (possibility to have more than one De Bo)				
Name of De Bo I				
Postal address				
Postal code	Town/Country			
Phone	Official e-mail			
Website				
4.2 Name of De Bo II				
Postal address				
Postal code	Town/Country			
Phone	Official e-mail			
Website				



13 COMMON SAFETY METHODS As Bo				
Name of CSM As Bo				
Postal address				
Postal code	Town/Country			
Phone	Official e-mail			
Website				
Website				
14 CERTIFICATES ISSUED AGAINST NATIONAL RULES AND THOSE USED FOR ESTABLISHING TECHNICAL COMPATIBILITY ACCORDING TO Annex VI of 2008/57/EC				



15 USED SPECIFICATIONS, STANDARDS, NORMS AND NATIONAL TECHNICAL RULES IN **AUTHORISATION PROCESS:** 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

16 APPLICANT'S CONFIRMATION

□ I confirm that I have the legal capacity to sign this form and that all information provided in this form is correct and complete to the best of our knowledge.

17 SIGNATURE:

Place and date

Signature:

Name and title in block capitals: