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COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

setting out the procedure for registration of rail vehicles in the Union and the technical and functional specifications for the European Vehicle Register referred to in Directive (EU) 2016/797 of the European Parliament and of the Council and repealing Commission Implementing Decision (EU) 2018/1614

(Text with EEA relevance)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union¹, and in particular Articles 47(5) thereof,

Whereas:

- (1) In order to ensure harmonised traceability of vehicles operated in the Union and their history, vehicle registration needs to be harmonised throughout the Union by means of a European vehicle number registered in the European Vehicle Register which is a centralised register providing a harmonised interface to all users for the registration of vehicles and data management.
- (2) The cost-benefit analysis performed by the European Union Agency for Railways (the ‘Agency’) highlighted significant advantages for the Union rail system stemming from the establishment of a harmonised registration process that would replace registration processes in place at national level and make the Agency a vehicle registration entity.
- (3) Article 37 of Regulation (EU) 2016/796 of the European Parliament and of the Council² requires the Agency to setup maintain, and manage the European Vehicle Register, and to make it publicly available, where relevant in cooperation with the registration entities.
- (4) Article 8 of Commission Implementing Decision (EU) 2018/1614³ requires Member States to use the centralised registration function of the European Vehicle Register from 16 June 2024. Therefore, since the vehicle registration entities of the respective Member States may use the de-centralised registration function only until 15 June 2024 at the latest, the Agency should no longer be required to ensure compatibility and communication between the de-centralised functions and the centralised functions from 16 June 2024, and the associated interface should be decommissioned.

¹ Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44)

² Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways (OJ L 138, 26.5.2016, p. 1)

³ Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797 of the European Parliament and of the Council and amending and repealing Commission Decision 2007/756/EC (OJ L 268, 26.10.2018, p. 53)

- (5) The implementation of centralised registration functions should reduce the complexity, time and cost of the vehicle registration process, provide uniform conditions and harmonised procedure for the registration of vehicles operated in the Union and foster collaboration among all the parties involved in the vehicle registration process. In order to reduce the time and cost of the vehicle registration process, the time frames should be reduced as much as possible.
- (6) Pursuant to Article 47(5) of Directive (EU) 2016/797, data of vehicles initially registered in national vehicle registers should have been migrated in the European Vehicle Register by 16 June 2021 in accordance with Article 8(1) of Implementing Decision (EU) 2018/1614.. However, where such data could not be transferred, Article 8(1) of Implementing Decision (EU) 2018/1614 should continue to apply.
- (7) Vehicle data registered in the European Vehicle Register should be public to assist in the digitalisation of the industry and the development of businesses and policies of interested parties in relation to vehicle fleets operated in the Union.
- (8) To increase the competitiveness of the railway sector and reduce administrative burden and costs for the Agency, the Member States, the vehicle keepers and other stakeholders, the technical and functional specifications for the European Vehicle Register lay down in Decision (EU) 2018/1614 should be updated to harmonise vehicles registration across the Union and ensure that checks already carried out during the authorisation process are not repeated during the registration process. To that end, and to avoid any duplication of assessment, the Agency should become a vehicle registration entity for the vehicles it authorises.
- (9) The European Vehicle Register should be developed taking into consideration the IT applications and registers already set up by the Agency and the Member States, such as the Agency's One-Stop Shop ('OSS') for vehicle authorisation and safety certification, the European Register of Authorised Types of Vehicles ('ERATV'), the European Railway Agency Database of Interoperability and Safety ('ERADIS'), the European Register of Vehicle Keeper Marking ('VKMR'), the Organisation Code Register ('OCR'), as well as the ERA's ontology of the rail system maintained by the Agency ('ERA Ontology').
- (10) In order to facilitate the use of vehicles registered in the European Vehicle Register in third countries, in particular those applying the provisions of the Convention concerning international carriage by rail (COTIF) of 9 May 1980 as amended by the Vilnius Protocol of 3 June 1999, to which the European Union is party, the relevant data of the European Vehicle Register should be accessible to authorising competent authorities in such third countries. For that purpose, the Agency should facilitate the implementation of Commission's decisions adopted in accordance with the Convention.
- (11) Authorities, and upon a legitimate request, the railway undertakings and the infrastructure managers, as well as those entities identified in the register, should be able to consult data of interest in the European Vehicle Register. Relevant data should also be publicly available unless restricted in justified cases by the vehicle keeper subject to the validation of the vehicle registration entity.
- (12) Member States should designate a vehicle registration entity responsible for the processing of the applications for registration within their competence submitted by the vehicle keeper and the updating of data in the European Vehicle Register. The

European Union Agency for Railways should also act as vehicle registration entity for vehicles it authorises.

- (13) Vehicle keepers should provide the required harmonised information in an application for vehicle registration and should be able to submit such application by means of a web-based tool using a harmonised electronic form ('e-form'). Vehicle keepers should ensure that vehicle data submitted to vehicle registration entities is up-to-date and accurate.
- (14) The vehicle keeper should be responsible for the quality and accuracy of the data submitted to the vehicle registration entity.
- (15) Taking into account the experience gained with current vehicle registration entities and with a view to providing economies of scale and reducing administrative burden, early contact with the vehicle keeper in the form of coordination for the purposes of reserving a vehicle number is recognised as good practice to facilitate the relationship between the parties involved in the vehicle registration process and the actual registration of the vehicle. The European Vehicle Register should therefore provide for such reservation of a vehicle number or a range of vehicle numbers. Such reservation should also enable the vehicle registration entity to become familiar with the application for vehicle registration.
- (16) The vehicle registration entity should be responsible for checking the consistency of the data submitted to it by the vehicle keeper, and for registering it in the European Vehicle Register.
- (17) The European Vehicle Register should provide centralised functions for the suspension of the operation of a vehicle where national safety authorities or the Agency consider that there is a justified cause to request the current vehicle registration entity to suspend the registration of such vehicle without delay. In relation to the work of national investigating bodies designated in accordance with Article 22 of Directive (EU) 2016/798 of the European Parliament and of the Council⁴, suspension of a vehicle registration should be requested to the current vehicle registration entity through the national safety authority of that Member State established in accordance with Article 16 of that Directive.
- (18) The vehicle registration entity should be able to justify the decisions to approve or reject registrations, made at the stage of the vehicle registration process, . It should be possible to register in the European Vehicle Register all relevant information and reasons for such decision. In order to facilitate the communication between the vehicle registration entity and the vehicle keeper, the Agency should provide guidelines with regards to the practical arrangements for communications which are not relevant for the decisions during the vehicle registration process, and which therefore do not need to be submitted through the European Vehicle Register.
- (19) The Agency should provide guidelines describing, and where necessary, explaining the requirements set out in this Regulation. The guidelines should be updated, published and made available to the public free of charge.
- (20) Vehicle authorisation and registration data is a source of information which when not valid enables suspension, revocation or withdrawal of vehicle registration eventually

⁴ Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (recast) (OJ L 138, 26.5.2016, p. 102)

impacting vehicle operation in accordance with Articles 22(1) and 23(1)(a) of Directive (EU) 2016/797. The European Vehicle Register should therefore contribute to establish a single interface for National Safety Authorities and the Agency to access vehicle data of vehicles operated into the Union for supervision purposes and follow-up actions.

- (21) Whereas the registration entity designated by a Member State may be part of the national safety authority of that Member State, the role of the registration entity is limited to the execution of the harmonised registration procedure defined in this Regulation. In particular, the supervision tasks of the national safety authority or any tasks under the responsibility of the Member State pursuant to other regulations outside the scope of the Directive (EU) 2016/797 and Directive (EU) 2016/798, should be handled independently of the registration process. The registration entity should then be independent in its organisation, funding decisions, and decision-making of the authorising entity or any entity involved in the authorisation process.
- (22) The relevant National Safety Authority or the Agency should be able to suspend the registration of corresponding vehicle(s).
- (23) The Agency and other vehicle registration entities should implement internal arrangements or procedures which ensure that the requirements of the vehicle registration process are fulfilled, and in particular that stakeholders respect safety requirements in the execution of their responsibilities and avoid cases of faulty registration of authorisation, invalid entity in charge of maintenance ('ECM') certificates, incorrect maintenance and incorrect classification by entity managing the change). When relevant, these procedures should be established in cooperation and coordination with other vehicle registration entities.
- (24) Where the authorised area of use of a vehicle is limited to network(s) within one Member State only, the vehicle keeper should submit an application for registration of the vehicle in that Member State either to the vehicle registration entity of that Member State or to the Agency, in case, the Agency is the Authorising Entity.
- (25) Where the Agency acts as the authorising entity, the vehicle keeper may submit its application for registration to the Agency acting as vehicle registration entity or to one of the Registration Entity of one of the Member State within the area of use.
- (26) Vehicle registration data should allow to identify and distinguish the vehicle registration entity involved in the registration of the vehicle and the Member State in which the vehicle is registered.
- (27) In order to facilitate the registration of vehicles and to reduce the administrative burden, vehicle registrations carried out by the Agency should be recognised as equivalent to vehicle registrations performed by any vehicle registration entity in accordance with Implementing Decision (EU) 2018/1614.
- (28) The Agency and other vehicle registration entities should cooperate and share experience as appropriate for the purposes of vehicle registration. To that end, cooperation agreements should be drawn up between the Agency and other vehicle registration entities. In particular, cooperation agreements should focus on the common codification of the technical characteristics of tractive rolling stocks which are not harmonised at Union level.
- (29) The railway networks located in Estonia, Latvia and Lithuania have a track gauge of 1520 mm while in Finland the track gauge is 1524 mm. Both track gauges are identical to or compatible with those in neighbouring third countries, but are different from the

one used on the main rail network of the Union. 1520 mm and 1524 mm track gauge networks have inherited common technical and operational requirements, which provide de facto interoperability between them. In that respect, the vehicle registration issued in one of those Member States or neighbouring third countries may be considered by the authorities as valid for the rest of these networks. To facilitate the efficient and proportionate allocation of resources for vehicle registration of vehicles operated in the Union, and to reduce the financial and administrative burden for the vehicle keeper in such cases, there should be specific cooperation agreements between the Agency and relevant national safety authorities. Such agreements should envisage where necessary, the accessibility in the European Vehicle Register of the vehicle data specified in Article 47(7) of Directive (EU) 2016/797 with regards to vehicles initially registered in one of such neighbouring third countries.

- (30) In order to draw on their experience the Agency and other vehicle registration entities should be encouraged to cooperate and share any related relevant information. To that effect, the Agency should set up a network of vehicle registration entities.
- (31) The European Vehicle Register should aim at contributing to the creation of a data system feeding into all electronic information flows with regards to the Union rail system.
- (32) The measures provided for in this Regulation take into account the recommendation⁵ of the Agency of xxx on the specifications for the European Vehicle Register.
- (33) The measures provided for in this Regulation are in accordance with the opinion of the committee referred to in Article 51 of Directive (EU) 2016/797,

HAS ADOPTED THIS REGULATION:

Chapter 1 – General provisions

Article [...] *Subject matter*

This Regulation lays down the applicable harmonised procedure for the registration of rail vehicles in the European Vehicle Register as well as the technical and functional specifications for that Register, European Vehicle Number, including the letter marking indicating technical characteristics of the vehicles. and Vehicle Keeper Marking.

Article [...] *Definitions*

⁵ <reference of ERA recommendation to be added>

Chapter 2 – European Vehicle Register

Article [...]

Use of the European Vehicle Register

- (1) Member States shall ensure that the vehicle registration entity designated in accordance with paragraph (3) of Article [vehicle registration entity] uses the European Vehicle Register and registers vehicles by means of the centralised registration functions.
- (2) The Agency shall decommission the interfaces with the decentralised registration functions in the European Vehicle Register.

Article [...]

Specifications of the European Vehicle Register

- (1) The European Vehicle Register shall be implemented and maintained by the Agency in accordance with the technical and functional specifications laid down in this Regulation.
- (2) The Agency shall be responsible for ensuring the data is secure, in line with this regulation, not corrupted and that, when accessed, the data shown is an accurate display of the data provided.
- (3) The specifications referred to in paragraph (1) shall be subject to a change control management process under the aegis of the Agency and in accordance with Chapter 2 of Regulation (EU) 2016/796.

Article [...]

Architecture of the European Vehicle Register

- (1) The European Vehicle Register shall be a centralised register providing an interface for consultation, vehicle registration and data management.
- (2) The Agency shall manage and maintain the European Vehicle Register in accordance with the specifications set out in the Annex.

Article [...]

Access rights

- (1) Vehicle registration data shall be accessible in accordance with the specifications laid down in the Annex.
- (2) Relevant vehicle registration data shall be publicly accessible in accordance with the specifications laid down in the Annex and with the Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁶ and the Regulation (EU) 2016/679 of

⁶ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39)

the European Parliament and of the Council⁷. In particular, specific data identified in Annex may be accessible to authorised entities only in justified cases and upon decision of the vehicle keeper.

- (3) The vehicle keeper may choose to exclude a vehicle registration from required public availability in case of individual vehicles relating to national security and for which an exclusion has been granted by the Member State and communicated to the Agency.
- (4) For vehicle not excluded from required public availability in accordance with paragraph (3), the vehicle keeper may choose to include to public availability the identification of organisations referred in the Annex other than licensed railway undertakings in accordance with Article 10 of Directive (EU) 2016/798 or authorised infrastructure managers in accordance with Article 12 of Directive (EU) 2016/798.

Article [...]

Access to and use of the European Vehicle Register by third-country entities

Without prejudice to the access rights referred to in Article [Access rights], the Agency shall grant access to data in the European Vehicle Register and allow the use of the relevant function or functions by relevant entities⁸ in non-Union COTIF Contracting States⁹ on the basis of a Commission decision to that effect, which includes provisions for fees and charges payable, where relevant, by such entities.

Article [...]

ERA Ontology

- (1) The data presentation of the parameters with regards to the registration of a vehicle in the European Vehicle Register, listed in the Annex, shall be in accordance with the ‘ERA Ontology’ referred to in the Annex.
- (2) For the purposes of this Regulation, ‘ERA Ontology’ means a technical document issued by the Agency pursuant to Article 4(8) of Directive (EU) 2016/797 establishing human-readable and machine-readable data definitions and presentations and their respective quality and accuracy requirements with regards to each data element (ontology) of the rail system.
- (3) The Agency shall ensure that the ERA Ontology is maintained and updated to reflect regulatory and technical developments affecting the rail system.

⁷ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁸ ‘relevant entities’ as listed in Annex 2 of OTIF specifications for vehicle registers in accordance with Article 13 of ‘ATMF’.

⁹ Contracting States applying the Appendix F (ATPU – Uniform Rules concerning the Validation of Technical Standards and the Adoption of Uniform Technical Prescriptions applicable to Railway Material intended to be used in International Traffic) and Appendix G (ATMF – Uniform Rules concerning the Technical Admission of Railway Material used in International Traffic) of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 as amended by the Vilnius Protocol of 3 June 1999.

Article [...]

Guidelines

- (1) The Agency shall publish updated guidelines to facilitate the implementation and use of the technical and functional specifications of the European Vehicle Register by *[Publication Office please enter date of entry into force of this regulation]* at the latest. It shall provide a reference to the technical and functional specifications of the European Vehicle Register set out by this Regulation. The Agency shall keep the guidelines up to date.
- (2) To facilitate the submission of a registration request, each vehicle registration entity shall publish guidelines specifying in particular the language arrangements applied for registration in accordance with Article [Language arrangements], by *[Publication Office please enter date of entry into force of this regulation]* at the latest. Vehicle registration entities shall keep the guidelines up to date.
- (3) The guidelines referred to in paragraphs (1) and (2) shall be published in accordance with the language arrangements of the issuing entity in accordance with Article [language arrangements]. They shall be at least available in English to facilitate the coordination work referred to in paragraph (3)(e) of Article [coordination and cooperation].

Chapter x – Vehicle registration

Article [...]

Vehicle Registration Entity (VRE)

- (1) For the purpose of this Regulation, a vehicle registration entity means a body responsible for timely processing of the applications and updating of data in the European Vehicle Register. Although it may be part of the entity issuing the authorisation for a vehicle in accordance with Article 21 of Directive (EU) 2016/797 ('authorising entity'), namely the national safety authority or the Agency, it shall be independent in its organisation, funding decisions, and decision-making of any authorising entity or other party involved in either the registration or authorisation processes of a vehicle.
- (2) A vehicle registration entity shall be identified in the European Vehicle Register independently from the Member State in which the vehicle is registered.
- (3) Each Member State shall designate a vehicle registration entity responsible for the registration and pre-registration of vehicles authorised by the national safety authority¹⁰ ('NSA') of that Member State or the Agency and vehicles referred to in paragraph (4) and (5) of Article [registration of vehicles authorised in 3rd countries], and for the management of existing vehicle registrations in that Member State in accordance with paragraph (4) of Article [registration of vehicles authorised in the Union]. Member States may respectively delegate these roles to the Agency or part of them subject to bilateral agreement.

¹⁰ National Safety Authority (NSA) as defined in Article 3(7) of Directive (EU) 2016/798.

- (4) The Agency shall be a vehicle registration entity responsible for the registration and the pre-registration of the vehicles it authorises, and for existing vehicle registrations in accordance with paragraph (4) of Article [registration of vehicles authorised in the Union].
- (5) For the purposes of paragraph (4), the Member States shall notify to the Agency the codification principles relating to registration of tractive rolling stock within six months after entry into force of this Regulation. This shall be a pre-requisite for the Agency to undertake the registrations of tractive rolling stock in accordance with paragraph (4).
- (6) The Agency and the vehicle registration entities referred to in paragraph (3) shall conclude cooperation agreements to cover the cooperation and coordination efforts required in the context of the group referred to in Article [coordination and cooperation].
- (7) For the purposes of paragraph (4), the vehicle registration entities referred to in paragraph (3) shall respectively specify in the guidelines referred to in paragraph (2) of Article [Guidelines] any applicable national legislation which may require, without prejudice to paragraph (6) of Article [harmonised registration procedure], other checks to be performed by the vehicle registration entities referred to in paragraph (3) beyond the scope of vehicle registration and in cooperation with the Agency.
- (8) Each vehicle registration entity shall be empowered and shall have the necessary resources to coordinate and cooperate with other vehicle registration entities in accordance with Article [coordination and cooperation].
- (9) Member States shall notify the Agency and other Member States about the updated details of the designated vehicle registration entity at the latest six months before the designation starts applying. The list of vehicle registration entities shall be made publicly available on the website of the Agency and kept up-to-date.
- (10) Vehicle registration entities may levy fees and charges for providing services limited to the scope of their activity and its cost.

Article [...]

Registration of vehicles authorised to be placed on the market

- (1) Any vehicle operated in the Union rail network shall be registered in the European Vehicle Register in accordance with the specifications defined in the Annex. A vehicle without a valid registration shall not be operated in accordance with Articles 22(1) and 23(1)(a) of Directive (EU) 2016/797.
- (2) Any organisation submitting or publishing data into the European Vehicle Register, or identified therein, shall be identified by its organisation code as specified in the Regulation (EU) 2024/xxx¹¹.

¹¹ Commission Implementing Regulation (EU) 2024/xxx concerning a technical specification for interoperability relating to the telematics subsystem of the rail system in the European Union and repealing Commission Implementing Regulation (EU) No 1305/2014 ('TAF TSI') and Commission Implementing Regulation (EU) No 454/2011 ('TAP TSI').

- (3) For a new vehicle registration, the vehicle keeper shall submit an application to the vehicle registration entity of its choice in accordance with paragraphs (3) and (4) of Article [vehicle registration entities].
- (4) To update an existing registration when a new vehicle authorisation for placing on the market¹² is not required in accordance with Article 21(12) and (13) of Directive (EU) 2016/797, the vehicle keeper shall submit an application to the current vehicle registration entity.
- (5) The vehicle registration entity shall not request the vehicle keeper applying to register a vehicle for additional information beyond the information referred to in the harmonised registration procedure in accordance with paragraphs (8) and (9) of Article [harmonised registration procedure].
- (6) The vehicle registration entity shall be responsible for checking the consistency and accuracy of the data submitted by the vehicle keeper and for registering it in the European Vehicle Register in relation to vehicles they register pursuant to paragraph (3) and (4) of Article [vehicle registration entities], respectively. To that end the vehicle registration entity may request information from other vehicle registration entities.
- (7) In the context of the supervision of railway undertakings and infrastructure managers referred to in Articles 16 and 17 of Directive (EU) 2016/798 and Article 8 of Regulation (EU) 2018/761¹³, the national safety authorities shall be responsible for checking the quality of the data registered in the European Vehicle Register.
- (8) Pending the development of machine-to-machine query services of vehicle registration data in accordance with paragraph (1) of Article [future developments], each vehicle registration entity shall be able to extract vehicle registration data they recorded .
- (9) It shall be possible for any vehicle keeper to submit to the Agency return from experience from case(s) for vehicle registration, in particular where subject to request for additional information as referred in paragraph (3). Such case(s) shall be analysed in cooperation with other vehicle registration entities as referred to in point (d) of Article [coordination and cooperation] with the objective to continuously enhance the harmonisation of the vehicle registration procedure where relevant.
- (10) Rolling stock placed on the market for the first time in Estonia, Latvia, Lithuania, or Finland and intended to be used outside the Union as part of common 1520 mm rail system wagons fleet shall be registered in the European Vehicle Register without prejudice to Article 46(4) of Directive (EU) 2016/797 and other applicable legislation issued by the Council of Railway Transport (CRT) of the Commonwealth of Independent States (CIS).
- (11) Heritage vehicles operated only for historical or touristic purposes shall be registered in the European Vehicle Register and allocated with a European Vehicle Number in accordance with Article [European vehicle number].

¹² ‘Vehicle authorisation for placing on the market’ in accordance with Article 21 of Directive (EU) 2016/797.

¹³ Commission Delegated Regulation (EU) 2018/761 of 16 February 2018 establishing common safety methods for supervision by national safety authorities after the issue of a single safety certificate or a safety authorisation pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 1077/2012 (OJ L 129, 25.5.2018, p. 16).

Article [...]

Registration of vehicles authorised for the first time in a third country and operated into the Union

- (1) Any vehicle accessing the Union rail network from neighbouring non-EU countries whose vehicle keeper is established in the Union shall be registered in the European Vehicle Register in accordance with Article [registration of vehicles authorised in the Union] and the specifications defined in the Annex.
- (2) Relevant vehicle data in accordance with Article 46 and Article 47(7) of Directive (EU) 2016/797 with regards to vehicles whose vehicle keeper is established in a non-Union country, and which enter the Union rail network from neighbouring non-Union COTIF Contracting States⁹ shall, upon decision of first Member State where the vehicle is intended to be operated on the Union rail system, either be registered in the European Vehicle Register in accordance with Article [registration of vehicles authorised in the Union] and the specifications defined in the Annex, or directly accessible to authorised entities in accordance with Article [Access Rights].
- (3) Relevant vehicle data in accordance with Article 46 and Article 47(7) of Directive (EU) 2016/797 with regards to vehicles whose vehicle keeper is established in a non-Union country, and which enter the Union rail network from neighbouring countries other than COTIF Contracting States⁹ either may be upon decision of first Member State where the vehicle is intended to be operated on the Union rail system registered in the European Vehicle Register in accordance with Article [registration of vehicles authorised in the Union] and the specifications defined in the Annex, or shall be accessible to authorised entities in accordance with Article [access rights].
- (4) Vehicles designated for cross-border operations travelling from non-Union countries to stations located close to the border in neighbouring Member States of the Union with similar network characteristics, and vehicles in transit from a neighbouring non-Union country to another neighbouring non-Union country without any intermediate commercial service in the Union, may be both exempted from paragraphs (2) and (3) subject to the consultation of competent national safety authorities carried out on a case-by-case or set out in a cross-border agreement between involved parties.
- (5) For vehicles referred to in paragraphs (2) and (3) which are subject to the transitional regime referred to in Article 54(2) of Directive (EU) 2016/797, when the vehicle keeper decide to register its vehicle data in the European Vehicle Register, it shall submit the application for registration to the vehicle registration entity of the Member State where the vehicle is first intended to be operated in the Union rail system and in accordance with paragraph (3) of Article [registration of vehicles authorised in the Union] and the specifications defined in the Annex.
- (6) For vehicles referred to in paragraph (2) and (3) authorised in accordance with Article 21(16) or (17) of Directive (EU) 2016/797, when the first Member State where the vehicle is intended to be operated on the Union rail system decide to register vehicle data in the European Vehicle register, the vehicle keeper shall submit the application for registration to the vehicle registration entity of the Member State where the vehicle is first intended to be operated in the Union as part of the same track gauge system of that Member State and in accordance with paragraph (3) of Article [registration of vehicles authorised in the Union] and the specifications defined in the Annex.

- (7) Where relevant vehicle data for vehicles referred to in paragraph (2) is registered in the vehicle register of a non-Union COTIF Contracting State⁹ compliant with the specifications set out in the Annex and which ensure direct access to authorised entities in accordance with Article [access rights], these vehicles may be registered only in that vehicle register.
- (8) When relevant vehicle data for vehicles referred to in paragraph (3) is registered in a common system to the Commonwealth of Independent States of Council of Railway Transport (CIS-CRT) directly accessible by infrastructure managers in the Member State where the vehicle is operated, it shall upon request of any authorised entities in accordance with Article [access rights] provide without undue delay such an entity with relevant vehicle registration data for these vehicles which may be registered only in that common system. In the event of such a common system would permanently become not directly accessible in a Member State part of the Commonwealth of Independent States, paragraph (6) shall apply.

Article [...]

Harmonised registration procedure

- (1) The submitter of an application for registering a vehicle shall be a vehicle keeper assigned with a valid Vehicle Keeper Marking ('VKM') in accordance with Article [Vehicle keeper identification].
- (2) The vehicle keeper shall be responsible to register a vehicle in the European Vehicle Register after its authorisation for placing on the market is issued and before it is put in operation.
- (3) Prior to any application for registration, the vehicle keeper shall ensure that any organisation to be referenced in its application are identified in accordance with Article [Organisations identification].
- (4) The vehicle keeper shall submit an application for vehicle registration to the vehicle registration entity of its choice in accordance with paragraphs (3) and (4) of Article [vehicle registration entities] and irrespectively of the Member State where the vehicle keeper chooses to register its vehicle in accordance with Articles 22(2) and (3) of Directive (EU) 2016/797. In accordance with the different registration cases defined in the Annex, the vehicle keeper shall fill in vehicle data the electronic web-based form specified in the Annex and submit its application for registration of a single vehicle or a list of vehicles to the vehicle registration entity.
- (5) In addition to the vehicle data and information related to its vehicle authorisation(s) for placing on the market, the vehicle keeper shall register in the European Vehicle Register, through the form above mentioned, the conditions for use of the vehicle and other restrictions on how it may be used as defined in its authorisation for placing on the market and in accordance with Articles 21 or 54 of the Directive (EU) 2016/797.
- (6) The vehicle keeper shall be responsible for the quality and accuracy of the data submitted to the vehicle registration entity.
- (7) The vehicle registration entity shall be responsible for the quality and accuracy of the data it validates in the European Vehicle Register, which shall consistently reflect its decision.
- (8) The implementation of the vehicle registration procedure by vehicle registration entities shall be restricted to the registration of all information defined in the Annex

and registration of a vehicle shall not be subject to requests for any additional information.

- (9) Without prejudice to paragraph (8), the vehicle registration may request further clarifications and supporting documents to be electronically attached to the application for registration in the cases defined in the Annex. In accordance with paragraph (2)(b)(3) of Article [future developments], these cases may be further enhanced with harmonised implementation of other checks referred to in paragraph (6) of Article [vehicle registration entities] and the return of experience referred to in paragraph (9) of Article [registration of vehicle authorised in the Union].
- (10) The vehicle registration entity shall take reasonable measures to ensure the accuracy of the data registered in the European Vehicle Register. To this end, the vehicle registration entity may coordinate with other vehicle registration entities in accordance with Articles [cooperation and coordination] and request information directly from other vehicle registration entities.
- (11) When the information provided by the vehicle keeper in accordance with paragraphs (4), (5) and (9) allow a proper assessment, the vehicle registration entity shall, no later than ten working days after the receipt of a complete request for registration:
- approve the request for vehicle registration,
 - assign the vehicle with a European vehicle number in accordance with Article [European vehicle number]. In case the applicant or vehicle keeper — upon their request — received a pre-reserved vehicle number in accordance with Article [Pre-registration], that number shall be used for the first registration,
 - validate the draft registration and register the data in the European Vehicle Register.

The vehicle registration entity shall, within that deadline, either register the vehicle or request correction or clarification.

- (12) In case of change of vehicle registration entity, reactivation of a suspended vehicle registration, or vehicle authorisation subject to the transitional regime referred to in Article 54 of Directive (EU) 2016/797, the ten working days time limit may be extended to twenty working days in agreement between the involved vehicle keeper and the vehicle registration entity.
- (13) The vehicle keeper shall be able to review the progress of its applications via a web-based dashboard of the European Vehicle Register. The European Vehicle Register shall notify the vehicle keeper and the vehicle registration entity of any change of status of the application for registration.
- (14) The Vehicle Keeper may request to change the European Vehicle Number of a vehicle in the cases specified in the Annex. The change is subject to the approval of the Vehicle Registration Entity.

Article [...]

Pre-registration procedure

- (1) A pre-registration application may be submitted by the applicant¹⁴ for vehicle authorisation or the vehicle keeper] to the vehicle registration entity of its choice in

¹⁴ ‘applicant’ as defined in Article 2(22) of Directive (EU) 2016/797

accordance with paragraphs (3) and (4) of Article [vehicle registration entities]. It shall allow the submitter to pre-fill its vehicle data in the registration form and reserve vehicle number(s). It may concern a single vehicle or a range of vehicles.

- (2) Upon request of an applicant as referred to in (1), the vehicle registration entity of its choice in accordance with paragraphs (3) and (4) of Article [vehicle registration entities] shall handle pre-registration applications to set the pre-registration baseline within ten working days after the receipt of a complete request for pre-registration.
- (3) Upon request of an applicant as referred to in (1), the vehicle registration entity of its choice in accordance with paragraphs (3) and (4) of Article [vehicle registration entities] shall offer procedures for the reservation of a vehicle number or a range of vehicle numbers in the Member State chosen by vehicle keeper in accordance with Articles 22(2) and (3) of Directive (EU) 2016/797.
- (4) In case a vehicle number has been reserved, it shall be used by the vehicle keeper for the first vehicle registration of this vehicle.
- (5) The vehicle keeper may submit to the vehicle registration entity an application for vehicle registration at any time during the pre-registration process. In this case, the pre-registration phase is terminated.

Article [...]

Suspension of a vehicle registration

- (1) The current vehicle registration entity shall suspend without delay a vehicle registration, update its status in accordance with the specifications lay down in the Annex, and notify the vehicle keeper accordingly in the following cases:
 - (a) upon request of the vehicle keeper in accordance with the procedure defined in the Annex,
 - (b) upon request of the authorising entity of that vehicle in accordance with Article 54 of Regulation (EU) 2018/545¹⁵,
 - (c) upon request of the National Safety Authority of the Member State where the vehicle is registered or operated in accordance with Article 17 of Directive (EU) 2016/798,
 - (d) when the information registered in relation to the Entity in Charge of Maintenance of that vehicle in accordance with Article 14 of Directive (EU) 2016/798 are not valid anymore.
- (2) A suspended registration shall not be considered valid and corresponding vehicle shall not be operated on the Union rail system under such registration.
- (3) A reactivation of a registration after suspension shall be subject to the re-examination and positive assessment by the current vehicle registration of the conditions which caused the suspension and, if applicable, in coordination with the authorising authority that requested the suspension.

¹⁵ Commission Implementing Regulation (EU) 2018/545 of 4 April 2018 establishing practical arrangements for the railway vehicle authorisation and railway vehicle type authorisation process pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council (OJ L 90, 6.4.2018, p. 66)

Article [...]

Withdrawal of a vehicle registration

- (1) The current vehicle registration entity shall withdraw a vehicle registration upon request of the vehicle keeper in accordance with the procedure and the different registration status defined in the Annex.
- (2) A withdrawn registration shall not be considered valid and corresponding vehicle shall not be operated on the Union rail system under such registration.

Article [...]

Complaint and appeal against the decision of a vehicle registration entity

- (1) When the vehicle registration entity is not able to process a vehicle registration in accordance with the registration process described in Article [Harmonised registration procedure], the vehicle registration entity shall notify the vehicle keeper within ten working days after the receipt of a complete request for registration and provide it with a substantiated justification or request for correction or clarification.
- (2) The vehicle keeper may, within a period of ten working days from receipt of the notification, request that the vehicle registration entity review its decision. The vehicle registration entity shall have ten working days from the date of receipt of the request to review it and to confirm or reverse its initial notification.
- (3) When the final decision of the vehicle registration entity is subject to an infringement of this Regulation alleged by the vehicle keeper, it may submit a complaint or bring an appeal before:
 - (a) the Board of Appeal designated under Article 55 of Regulation (EU) 2016/796 where the vehicle registration entity is the Agency,
 - (b) the appeal body designated by the relevant Member State in accordance with Article 18(3) of Directive (EU) 2016/798 in other cases. The Article referred above shall here apply to vehicle registration entity designated by Member State similarly than to National Safety Authority.

Article [...]

Language arrangements

- (1) The language policy implemented by the Agency for the European Vehicle Register shall not impede the vehicle keeper to submit an application and use this register in any of the official languages of the Union.
- (2) Applications for registration shall be submitted in accordance with the language policy specified by the vehicle registration entity in the guidelines referred to in Article [Guidelines].
- (3) Language arrangements for vehicle registration implemented by the registration entities designated by Member States in accordance with paragraph (3) of Article [vehicle registration entities] shall not impede the vehicle keeper to submit an application in one of the official language of that Member State or in English.
- (4) Language arrangements for vehicle registration implemented by the Agency in accordance with Article 74 of Regulation (EU) 2016/796 shall not impede the vehicle keeper to submit an application in any of the official languages of the Union.

Article [...]

Condition for use of the vehicle and other restrictions

- (1) The restrictions referred to in the authorisation for placing on the market as condition for use of the vehicle referred to in Article 48 paragraph (c)(iii) and Article 49 paragraph (d)(iii) of Regulation (EU) 2018/545 establishing practical arrangements for the railway vehicle authorisation and railway vehicle type authorisation ('PA VA') and in Article 4 of Decision 2011/665/EU on the European register of authorised types of railway vehicles ('ERATV'), and other restrictions on how the vehicle may be used shall be registered in the European Vehicle Register in accordance with the specifications defined in Annex.
- (2) Harmonised restrictions available in the European Vehicle Register shall be applicable in all Member States.
- (3) Where relevant, National Safety Authorities shall submit to the Agency request(s) to evaluate the opportunity to include new harmonised restriction(s).
- (4) Non harmonised restrictions applicable to a specific vehicle shall be limited to those restrictions that due to their particular character are unlikely to be applied to several vehicles or vehicle types and shall be registered by the vehicle keeper in the European Vehicle Register in accordance with Article [registration of vehicles authorised in the Union].
- (5) Condition for use of the vehicle and other restrictions on how the vehicle may be used registered in the European Vehicle Register shall be used in the context of the route compatibility process referred to in Regulation (EU) 2019/773¹⁶ ('OPE TSI').

Chapter xx – Vehicle identification and marking

Article [...]

European vehicle number

- (1) Any railway vehicle operated in the Union shall be allocated by the vehicle registration entity chosen by the vehicle keeper in accordance with paragraphs (3) and (4) of Article [vehicle registration entities] with a unique identifier through the vehicle registration process, the European Vehicle Number ('EVN'), which shall consist of a smart structure allowing to retrieve the different characteristics of the vehicle. It shall be in accordance with the provisions lay down in the Annex.
- (2) The European Vehicle Number shall be marked in accordance with Appendix H of OPE TSI and in a permanent manner during operation. It shall be visible on both side of the vehicle.
- (3) The European Vehicle Number marking shall also be associated with a marking for operational purposes. This operational marking shall allow to retrieve the different operational characteristics of the vehicles as specified in the Annex and the vehicle keeper identification as defined in Article [Vehicle keeper identification]. It shall be

¹⁶ Commission Implementing Regulation (EU) 2019/773 of 16 May 2019 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union and repealing Decision 2012/757/EU (OJ L 139I , 27.5.2019, p. 5)

marked in accordance with Appendix H of TSI OPE and in a visible manner on both side of the vehicle and in a permanent manner during operation.

- (4) In the cases referred to in paragraphs (10) and (11) of Article [registration of vehicles authorised in the Union], an ad hoc numbering system may be marked in accordance with the specifications lay down in the Annex.

Article [...]

Vehicle keeper identification

- (1) The Vehicle Keeper Marking ('VKM') shall identify uniquely the vehicle keeper as registered in the European Vehicle Register. It shall be marked in accordance with Appendix H of TSI OPE and in a visible manner on both side of each rail vehicle, near the European vehicle number referred to in Article [European Vehicle Number].
- (2) A Vehicle Keeper Marking shall be valid within all countries in the scope of this Regulation, either directly or indirectly through an agreement that involves the application of the system of vehicle identification in accordance with this Chapter.
- (3) The Vehicle Keeper Marking shall be a representation of the full name or abbreviation of the vehicle keeper, if possible in a recognisable manner.
- (4) The Vehicle Keeper Marking shall be in accordance with the provisions lay down in the Annex.
- (5) A vehicle keeper shall request a Vehicle Keeper Marking to the competent authority where it is established as follows:
- (a) in the Union,
- to the National Safety Authority of corresponding Member State,
 - to the Agency when there is no National Safety Authority established in corresponding Member State.
- (b) in a non-EU COTIF Contracting State⁹, to OTIF Secretariat-General.
- (6) The competent authority referred to in paragraph (5) shall check the application against paragraphs (1) to (4), validate it and then forward it to the Agency for publication.
- (7) The Agency shall establish the European Register of Vehicle Keeper Markings ('VKMR') to publish on its website the list of Vehicle Keeper Markings. This register shall be public and updated in due time as soon as the information becomes available.
- (8) The Agency shall update the list of Vehicle Keeper Markings based on information communicated by the competent authorities referred to in paragraph (5), publish it in European Register of Vehicle Keeper Markings referred to in paragraph (7), and inform subsequently the requesting vehicle keeper.
- (9) A vehicle keeper shall use a Vehicle Keeper Marking on its vehicle(s) only after publication by the Agency in the European Register of Vehicle Keeper Markings referred to in paragraph (7).

Chapter xx – Implementation

Article [...]

Coordination and cooperation

- (1) The Agency shall set up a group composed of representatives of the vehicle registration entities referred to in paragraphs (3) and (4) of Article [vehicle registration entities]. The group shall ensure relevant coordination and cooperation between vehicle registration entities with regards to:
 - (a) the management of existing vehicle registrations,
 - (b) the maintenance of the registration procedure in accordance with the Article [harmonised registration procedure],
 - (c) the future developments of the European Vehicle Register in accordance with paragraph (1) of Article [future developments],
 - (d) the management and the maintenance of the technical specifications set out in this Regulation in accordance with paragraph (2)(b) of Article [future developments], including the analyse and implementation of the return from experience of vehicle keepers referred to in paragraph (9) of Article [registration of vehicle authorised in the Union],
 - (e) the development of the Guidelines referred to in Article [Guidelines],
 - (f) relevant dissemination activities in the context of the implementation of this Regulation,
 - (g) definition of contingency procedures related to the management of the EVR disruptions and maintenance.
 - (h) the registration of third countries vehicles operated into the Union as referred to in Article [Registration of vehicles authorised in 3rd countries].
- (2) The Agency shall invite experts, national safety authorities, representative bodies¹⁷, and international organisations, as appropriate.

Article [...]

Future developments

- (1) In accordance with Article [cooperation and coordination], the Agency shall gradually update the European Vehicle Register by 31 December 2025 at the latest, in particular to:
 - (a) automate data prefilling on the basis of available values in other registers and databases;
 - (b) align the notification system of the EVR to the requirements set-out in this regulation,

¹⁷ Representative bodies from the railway sector acting at Union level in accordance with Article 38(4) of Regulation (EU) 2016/796.

- (c) align organisation descriptions used for vehicle registration and for ‘EC’ declarations of verification;
 - (d) enable machine-to-machine querying of vehicle registration data for consultation;
 - (e) enable centralised function for advanced search and to check the quality of the data in relation to the detection of double entries of vehicle registrations in particular;
 - (f) enable centralised function for vehicle registration entities referred to in paragraph (3) of Article [vehicle registration entities] to migrate pre-reserved vehicle numbers from national vehicle registers to the European Vehicle Registers.
- (2) The Agency shall issue a recommendation in accordance with Article 19(1)(a) of Regulation (EU) 2016/796 by 31 December 2026, in particular to:
- (a) revise the vehicle identification mechanism to ensure vehicle numbers are permanent while the characteristics of the registration are available in the European Vehicle Register as reference database.
 - (b) update the technical specifications referred to in the Appendix to:
 - (1) reflect regulatory and technical developments affecting the rail system;
 - (2) ensure code availability for the technical characteristics of the European vehicle numbers;
 - (3) take into account other checks referred to in paragraph (6) of Article [vehicle registration entities] when relevant;
 - (4) take into account relevant return of experience referred to in paragraph (9) of Article [registration of vehicles authorised in the Union].

Chapter xx – Final provisions

Article [...] Evaluation report

- (1) At the latest five years after the entry into force of this regulation, the Agency shall re-evaluate through the group referred to in Article [coordination and cooperation] the provisions related to:
 - (a) the public availability of data specified Article [access rights] within five years after its entry into force.
 - (b) the registration of vehicles subject to a vehicle authorisation issued by the Agency.
- (2) The Agency shall report to the Commission on its conclusions for the evaluations referred to in paragraph (1).
- (3) The report shall, where necessary, be accompanied by appropriate proposals taking into account future developments referred to in Article [Future developments]. These

proposals shall be produced in the context of the cooperation and collaboration network referred to in Article [coordination and cooperation].

Article [...]

Repeal

Implementing Decision (EU) 2018/1614 is repealed with effect from 16 June 2024.

Article [...]

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply on 16 June 2024 except paragraph (2) of Article [access rights] which shall apply from 31 December 2024.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

[...]