

Moving Europe towards a sustainable
and safe railway system without
frontiers.

RECOMMENDATION ERA 1175-2 OF THE EUROPEAN UNION AGENCY FOR RAILWAYS

on

The transfer of requirements from RID to TSI WAG

THE EXECUTIVE DIRECTOR

HAVING REGARD TO

Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004, hereafter referred to as the 'Agency Regulation', in particular Articles 2, 4 (a), 5(1), 17 and 19 thereof,

Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system (Recast), hereafter referred to as the 'Interoperability Directive', in particular Article 5,

Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods, as amended,

Commission Delegated Decision (EU) 2017/1474 of 8 June 2017 supplementing Directive (EU) 2016/797 of the European Parliament and of the Council with regard to specific objectives for the drafting, adoption and review of technical specifications for interoperability, hereafter referred to as the 'Commission Mandate', in particular article 5.4 thereof,

Whereas

1. In the report 'CONCLUSIONS OF THE RID – ATMF WORKING GROUP TECH-16050-RID-ATMF' of 13.04.2017, the RID-ATMF Working Group concluded regarding existing requirements in RID related to freight wagons: '[...] protection objectives will be included in RID and that the technical requirements to meet these objectives would be included in TSIs/UTPs. RID could then refer to the TSIs/UTPs where feasible'.
2. The Agency set up a workshop to identify requirements to be transferred from RID to TSI/UTP and to initiate a risk analysis to identify new requirements to be addressed.
3. The workshop met 5 times between 12.10.2022 and 5.6.2023, with the following participants: NSA IT, CER, UK DfT, UIP, NSA FR, NSA BE, UNIFE, DG MOVE, UIRR, UIC, EU Rail EDDP, ALE, IT MoT, OTIF, OTIF Secretariat, NSA FI, NL MoT, NSA LV, NSA AT, CEFIC.
4. A subgroup of experts in both TSI/UTP and RID met to ensure consistency in the changes brought to these three regulations. This subgroup met 3 times between 17.01.2023 and 19.04.2023, with the following participants: CER, CEFIC, UK DfT, UIP, NSA BE, UNIFE, DG MOVE, OTIF Secretariat, OTIF, NSA AT, UIRR.
5. The amendments proposed to the TSI WAG and RID have been agreed in both the workshop and subgroup meetings. On 6 September 2023, the JCGE endorsed this proposal and the working party to amend the TSIs chaired by the Agency approved the proposal.
6. A consultation was not organised, since users and social partners are not impacted by the changes. These changes consist of a transfer of requirements only.

HAS ADOPTED recommendation in Annex concerning the Commission Regulation (EU) No 321/2013 of 13 March 2013 concerning the technical specification for interoperability relating to the subsystem 'rolling stock — freight wagons' of the rail system in the European Union and repealing Decision 2006/861/EC (WAG TSI), as amended:

1. The draft Technical Specifications for Interoperability as set out in the Annex 1 to this recommendation should be adopted.
2. The proposal is to be seen as part of a package of amendments in RID, UTP and TSI, which needs to enter into force either on 1st January 2025 or on 1st January 2027, at the earliest possible date depending on the respective adoption constraints of the involved Committees, namely RID, CTE and RISC.

This recommendation is addressed to the European Commission.

Valenciennes, 14 December 2023



Josef DOPPELBAUER
Executive Director

Annexes:

Annex1_WAG_TSI

Annex2_Report_TSI

Annex3_economic_evaluation_report