



QUESTION / CLARIFICATION

CO-ORDINATION BETWEEN NOTIFIED BODIES

INTEROPERABILITY DIRECTIVE AND SUBSEQUENT AMENDMENTS ON THE INTEROPERABILITY OF THE RAIL SYSTEM WITHIN THE UNION

QC-INF-018

Issue 02
Date: 30/11/16
Page 1 of 2

TITLE

QC INFRASTRUCTURE REGISTER FOR TSI PRM

ORIGINATOR

ARSENAL RACE

SUBJECT RELATED TO

TSI PRM 2008 and 2014

DESCRIPTION AND BACKGROUND EXPLANATION

Background: decision 2014/880/EU about the infrastructure register does not contain any data evaluated in TSI PRM assessment, as the aim is to provide a register for compatibility between track and vehicles.

1. Clause 4.1.8 of TSI PRM 2008 (Infrastructure register), is not covered by Commission Decision 2012/464/EU (Omnibus Procedure) about collecting the infrastructure register according to decision 2011/633/EU (now: 2014/880/EU), as the equivalent clause of TSI INF. Formally, for projects being assessed according to TSI PRM 2008, the “old” infrastructure register following the text in the TSI itself (clause 4.1.8) has to be filled. Given the new development that

- a way of “harmonisation of data relative to the accessibility of railway stations” is being searched with the idea to make data available for passengers and not for infrastructure or railway companies,
- the TSI PRM 2014 refers to decision 2011/633/EU (now: 2014/880/EU) for the infrastructure register, and the remark for the inventory of assets: 1300/2014/EU (6);

it is unclear why to collect data according to TSI PRM 2008 clause 4.1.8 anymore.

2. When stations are adapted or built without adaptation of track, and therefore are only focussed on TSI PRM, for a full EC certificate it is necessary to add the infrastructure register to the technical file. It is unclear whether the infrastructure register has to be filled for these projects, as it does not include any data of TSI PRM, and most of the data for the track is not available as it is not part of the project.

SUGGESTED RESOLUTION / INTERPRETATION

1. For projects being assessed according to TSI PRM 2008, it is not necessary to fill the infrastructure register according to TSI PRM 2008 clause 4.1.8.
2. For projects as station renewals without any adaption of track infrastructure or platforms which do not affect any parameter of the infrastructure register, it is not necessary to have an infrastructure register according to decision 2014/880/EU for the technical file.



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Page 2 of 2

ORGANISATION(S) REQUESTED TO RESPOND (E.G. TSI GROUP, RISC, ERA ETC.)

ERA, RISC

DATE OF AGREEMENT AT NB RAIL PLENARY MEETING

PLE045, 21/10/2015 Brussels

RESPONSE FROM ORGANISATION ABOVE

ERA TO 2015-11 dated 29/01/16

Disclaimer: ERA TO always supersedes NB-Rail suggested solution in case of difference.

OPINION

ERA/OPI/2015-11

OF THE EUROPEAN RAILWAY AGENCY

FOR

EUROPEAN COMMISSION

REGARDING

THE QUESTION/CLARIFICATION FROM NB-RAIL N° QC-INF-018 CONCERNING THE INFRASTRUCTURE REGISTER FOR PRM TSI

Disclaimer:

The present document is a non-legally binding opinion of the European Railway Agency. It does not represent the view of other EU institutions and bodies, and is without prejudice to the decision-making processes foreseen by the applicable EU legislation. Furthermore, a binding interpretation of EU law is the sole competence of the Court of Justice of the European Union.



1 General Context

1. In its letter No ARES (2015) 630 8029 of the 15th of December 2015, the Commission has requested the Agency to issue an opinion concerning a question put forward by NB-Rail and relative to the registration of the parameters for the Infrastructure subsystem that are listed in the Commission Decision 2008/164/EC of 21 December 2007 concerning the technical specification of interoperability relating to persons with reduced mobility (TSI PRM 2008)¹.
2. The question relates to the necessity to register the characteristics that are listed in point 4.1.8 of the PRM TSI 2008 but that have not been retained in the common specifications of the register of railway infrastructure (RINF Decision 2014)².
3. The interpretation of NB Rail is:
 - a. for projects assessed according to the TSI PRM 2008, it is not necessary to register the characteristics that are listed in point 4.1.8 of the TSI PRM 2008,
 - b. for infrastructure renewals or upgrades without modification of track or platforms, which consequently do not affect any parameter of the register of infrastructure, it is not necessary to have any characteristic registered for the technical file.

2 Legal Background

1. The Directive 2008/57/EC of the European Parliament and of the Council of June 2008 on the interoperability of the rail system within the Community³ (Interoperability Directive) sets out the principles concerning the register of infrastructure in its article 35. It requires the Agency to prepare draft specifications of this register. The Agency established a working party for that purpose and sent its recommendation to the Commission on the 31st of March 2011; the first specification of the register of infrastructure (RINF Decision 2011) was adopted on the basis of that recommendation⁴.
2. The working party in charge of drafting the specification of the register examined all the characteristics already required to be registered in pre-existing TSIs, such as the TSI PRM 2008. For that one, the working party decided not to include in the RINF most of the characteristics listed in point 4.1.8 of the TSI. This decision was based on the fact that these characteristics are items related to the access of PRMs and not items that are necessary for checking the compatibility between infrastructure and rolling stock. The working party concluded that these characteristics should be made available to PRMs via a “different mean” than the register of infrastructure⁵.
3. Further to the adoption of the common specifications of the register of railway infrastructure in September 2011, all the pre-existing TSIs were revised by the Commission Decision of 23 July 2012 (the “Omnibus” Decision)⁶. One of the objectives of the “Omnibus” Decision was to replace the detailed list of characteristics to be registered by a reference to the RINF Decision 2011. This was done for all pre-existing TSIs, **with the exception of the TSI PRM 2008**, because there was no

¹ OJ L 64, 7.3.2008, p. 72–207

² Commission Implementing Decision 2014/880/EU of 26 November 2014 on the common specifications of the register of railway infrastructure and repealing Implementing Decision 2011/633/EU - OJ L 356, 12.12.2014, p. 489–519

³ OJ L 191, 18.7.2008, p. 1–45.

⁴ Commission Implementing Decision 2011/633/EU of 15 September 2011 on the common specifications of the register of railway infrastructure - OJ L 256, 1.10.2011, p. 1–25

⁵ Report accompanying the recommendation, § 6.3.1 and § 10.2: <http://www.era.europa.eu/Document-Register/Documents/IU-Recommendation%20on%20specification%20of%20RINF-Final%20Report.pdf>

⁶ Commission Decision 2012/464/EU of 23 July 2012 amending Decisions 2006/861/EC, 2008/163/EC, 2008/164/EC, 2008/217/EC, 2008/231/EC, 2008/232/EC, 2008/284/EC, 2011/229/EU, 2011/274/EU, 2011/275/EU, 2011/291/EU and 2011/314/EU concerning technical specifications for interoperability - OJ L 217, 14.8.2012, p. 20–45



alternative existing at that time for making the information available to PRMs via a “different mean” than the register of infrastructure.

4. The TSI PRM was revised and a new Regulation published in 2014 (TSI PRM 20154)⁷. It makes a reference to the RINF Decision 2011 in its point 4.8.1 for all the characteristics of the infrastructure that must be registered for the purpose of checking the compatibility between infrastructure and rolling stock. Regarding the “different mean” dedicated to the information to be provided to PRMs, the Article 7 of the TSI PRM 2015 requires the Agency to develop a tool for that purpose. This tool is called the Inventory of Assets; it is currently under development and will make use, for modelling the station data, of a very specific format.

3 Analysis

1. The main objective of the register of infrastructure is to enable the verification of the compatibility between the Infrastructure and the Rolling Stock subsystems. Many of the characteristics required to be registered in the point 4.1.8 of the PRM TSI 2008 do not contribute to this objective as they address the accessibility of stations and platforms from a PRM perspective.
2. In detail, the characteristics listed in point 4.1.8 of the PRM TSI 2008 that have been retained to be registered in the RINF are the following:

Item n°	Characteristics	In RINF
1	<i>Parking facilities in accordance with Clause 4.1.2.2;</i>	NO
2	<i>Obstacle-free route(s) in accordance with Clause 4.1.2.3;</i>	NO
3	<i>Tactile guidepaths where provided in accordance with Clause 4.1.2.3.2;</i>	NO
4	<i>Toilets, including those accessible to wheelchair users, in accordance with Clause 4.1.2.7;</i>	NO
5	<i>Ticketing, information desks and customer assistance points in accordance with Clause 4.1.2.9;</i>	NO
6	<i>Visual information systems in accordance with Clause 4.1.2.11;</i>	NO
7	<i>Ramps, escalators, lifts or travelators fitted in accordance with Clause 4.1.2.17;</i>	NO
8	<i>The height, offset, width and length of each platform in accordance with Clauses 4.1.2.18 and 4.1.2.19;</i>	YES
9	<i>Boarding aids and their description where provided in accordance with Clause 4.1.2.21;</i>	YES
10	<i>Level track crossings where these are available for use by PRM in accordance with Clause 4.1.2.22</i>	NO

3. When assessing an Infrastructure project according to the PRM TSI 2008, only the characteristics under items n°8 and n°9 can be registered in the RINF. Other characteristics can not as the RINF has not been conceived to include them.
4. The other characteristics will be covered by the tool called Inventory of Assets which specification is currently being developed by the Agency. This new tool will be different from the RINF.

⁷ Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility - OJ L 356, 12.12.2014, p. 110–178



5. For reasons of intermodality, the Inventory of Assets will model the station data according to a very specific format; as long as the format is not completely defined, registering the station characteristics in advance is not pertinent. It would have to be performed again.

4 The opinion

1. For projects assessed according to the TSI PRM 2008, the Agency is of the opinion that it is necessary to register the characteristics from point 4.1.8 of the TSI PRM 2008 that have been retained in the RINF Decisions from 2011 and 2014 (i.e. items 8 and 9 of the table above). These characteristics are listed in the section 1.2.1.0.6 of the RINF Decisions.
2. For other characteristics, the Agency is of the opinion that they are not necessary to be registered: no tool is currently available for their registration; the tool that is under development will have a very specific format, what makes the registration of these characteristics in advance a useless exercise.
3. The Agency is of the opinion that, until the entry into force of a new Commission legal act adopting the Inventory of Assets specification, the point 4.8.1 of the TSI PRM 2015 should be applied to projects assessed according to the TSI PRM 2008. Applying parts of the TSI PRM 2015 for projects assessed according to the TSI PRM 2008 is possible: it was already the conclusion of a previous Agency advice 2015-2⁸: *"Consequently, the Agency advises to use the TSI PRM 2015 whenever it is possible to use it, even for the cases a, b and c mentioned in article 11. When it is allowed not to apply the TSI PRM 2015 in full, or when a derogation is required under article 9 of the Directive 2008/57/EC, the Agency advises to apply it in parts as far as possible"*.

Valenciennes, 29.01.2016

Josef DOPPELBAUER
Executive Director

⁸ Advice ERA/ADV/2015-2 of 10.04.2015 on the interpretation of section 4.1.2.11. (Visual information) in the 2008 PRM TSI.



ANNEX 1

Letter No ARES (2015) 630 8029 of the 15th of December 2015