

# RECOMMENDATIONS

## COMMISSION RECOMMENDATION

of 18 November 2014

**on the procedure for demonstrating the level of compliance of existing railway lines with the basic parameters of the technical specifications for interoperability**

(2014/881/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Having regard to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community <sup>(1)</sup>, and in particular Article 30(1) thereof,

Whereas:

- (1) According to Section 7.3.4 of the Annex to Commission Regulation (EU) No 1299/2014 <sup>(2)</sup> (INF TSI) and Section 7.3.4 of the Annex to Commission Regulation (EU) No 1301/2014 <sup>(3)</sup> (ENE TSI), for the existing railway lines that are not subject to any project involving renewal or upgrading, demonstrating the level of compliance of these lines with the basic parameters of the technical specifications for interoperability (TSIs) is voluntary. Similarly, for existing lines which are subject to projects which do not imply an 'EC' verification procedure, demonstrating the level of compliance of these lines with the basic parameters of the technical specifications for interoperability (TSIs) should also be voluntary.
- (2) The infrastructure manager should be able, on a voluntary basis, to complete the register of infrastructure with information on the level of compliance of the existing line with the basic parameters of the TSIs. A standard procedure to be used when demonstrating the level of compliance with the basic parameters of the TSIs should be recommended.
- (3) The Annex to Commission Recommendation 2011/622/EU <sup>(4)</sup> refers to previous versions of the INF and ENE TSIs and should therefore be updated.
- (4) For the sake of clarity and simplification, it is preferable to replace Recommendation 2011/622/EU by this Commission Recommendation.
- (5) After consulting the Committee referred to in Article 29 of Directive 2008/57/EC,

HAS ADOPTED THIS RECOMMENDATION:

1. The procedure set out in the Annex should be used for demonstrating the level of compliance of the existing railway lines with the basic parameters of technical specifications for interoperability.
2. This Recommendation replaces Recommendation 2011/622/EU.

Done at Brussels, 18 November 2014.

*For the Commission*  
Violeta BULC  
*Member of the Commission*

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<sup>(1)</sup> OJ L 191, 18.7.2008, p. 1.

<sup>(2)</sup> Commission Regulation (EU) No 1299/2014 of 18 November 2014 on the technical specifications for interoperability relating to the 'infrastructure' subsystem of the rail system in the European Union (See page 1 of this Official Journal).

<sup>(3)</sup> Commission Regulation (EU) No 1301/2014 of 18 November 2014 on the technical specifications for interoperability relating to the 'energy' subsystem of the rail system in the Union (See page 179 of this Official Journal).

<sup>(4)</sup> Commission Recommendation 2011/622/EU of 20 September 2011 on the procedure demonstrating the level of compliance of existing railway lines with the basic parameters of the technical specifications for interoperability (OJ L 243, 21.9.2011, p. 23).

## ANNEX

**1. Introduction****1.1. Technical Scope**

This procedure relates to the following subsystems of the European Union rail system:

- (a) the infrastructure structural subsystem; and
- (b) the energy structural subsystem.

They are included in the list of subsystems in Annex II (1) to Directive 2008/57/EC.

**1.2. Geographical Scope**

The geographical scope of this procedure is the EU rail system as defined by Directive 2008/57/EC.

**1.3. Definitions**

For the purpose of this procedure:

- (a) 'EI' means existing infrastructure (fixed installations) that are not subject to the 'EC' verification procedure;
- (b) 'EI demonstration of compliance' means the verification of whether the basic parameters of a subsystem and/or an element of existing lines comply with the requirements of the relevant TSIs;
- (c) 'EI certificate of demonstration' is the document issued by an independent assessor as a result of the EI demonstration of compliance;
- (d) 'EI declaration of demonstration' is the document issued by an applicant after receiving the EI certificate of demonstration.

**2. Procedure for demonstrating compliance with the technical specifications for Interoperability for existing lines****2.1. Purpose**

The following procedure may be applied for demonstrating the compliance of existing fixed installations with the TSIs without being subject to the 'EC' verification procedure.

This procedure is not mandatory, but may be used on a voluntary basis.

**2.2. Procedure for demonstrating the level of compliance with the basic parameters of the TSI**

2.2.1. The procedure for demonstrating the level of compliance with the basic parameters of the TSI is the EI demonstration of compliance procedure. Under this procedure, the applicant fulfils the obligations laid down in points 2.2.2, 2.2.3, 2.2.5.2 and 2.2.5.3, and ensures and declares on his sole responsibility that the subsystem concerned, which has been subject to the provisions of point 2.2.4, satisfies the requirements of the relevant TSI(s).

2.2.2. The applicant lodges an application for the EI demonstration of compliance of the subsystem with an independent assessor of his choice.

The application includes:

- (a) the name and address of the applicant and, if the application is lodged by the authorised representative, also his name and address; and
- (b) the technical documentation.

**2.2.3. Technical documentation**

2.2.3.1. The applicant compiles the technical documentation and makes it available to the independent assessor referred to in point 2.2.4. The documentation should make it possible to demonstrate the level of compliance of the existing subsystems with the basic parameters of the relevant TSI(s).

2.2.3.2. The technical documentation contains, wherever applicable, the following elements:

- (a) a general description of the existing subsystem;
- (b) the documents necessary for compiling the technical file;

- (c) a list of the harmonised standards and/or other relevant technical specifications the references of which have been published in the *Official Journal of the European Union* and/or national technical specifications which are notified under Article 17(3) of Directive 2008/57/EC, applied in full or in part, and descriptions of the solutions adopted to meet the requirements of the relevant TSI(s) if those harmonised or national standards have not been applied. If harmonised or national standards have been partly applied, the technical documentation specifies the parts that have been applied;
  - (d) the conditions for using the subsystem (restrictions on running time or distance, wear limits, etc.);
  - (e) descriptions and explanations necessary for understanding the operation and maintenance of the subsystem;
  - (f) the conditions for maintenance and technical documentation regarding the maintenance of the subsystem;
  - (g) any technical requirements specified in the relevant TSI(s) that have to be taken into account during maintenance or operation of the subsystem;
  - (h) any other appropriate technical evidence, demonstrating that previous checks or tests have been successfully performed, under comparable conditions, by competent bodies.
- 2.2.3.3. The applicant keeps the technical documentation at the disposal of the relevant national authorities throughout the service life of the subsystem.
- 2.2.4. Procedure for demonstrating the level of compliance with the basic parameters of the TSI.
- 2.2.4.1. The independent assessor chosen by the applicant takes into account evidence of examinations, checks or tests that have been performed by other bodies or by the applicant.
- 2.2.4.2. The evidence gathered by the independent assessor should be suitable and sufficient to demonstrate the level of compliance with the requirements of the relevant TSI(s) and that all required and appropriate checks and tests have been carried out.
- 2.2.4.3. If the existing subsystem meets the requirements of the relevant TSI(s), the independent assessor may issue an EI certificate of demonstration.
- 2.2.5. EI declaration of demonstration
- 2.2.5.1. The applicant draws up a written EI declaration of demonstration for the subsystem and keeps it throughout the service life of the subsystem. The EI declaration of demonstration identifies the subsystem for which it has been drawn up.
- 2.2.5.2. The EI declaration of demonstration and the accompanying documents are drafted in accordance with Chapter 2.5 of this procedure.
- 2.2.5.3. A copy of the EI declaration of demonstration is made available to the relevant authorities upon request.
- 2.2.6. Technical file
- 2.2.6.1. The independent assessor is responsible for compiling the technical file that accompanies the EI declaration of demonstration.
- 2.2.6.2. The technical file accompanying the EI declaration of demonstration is lodged with the applicant.
- 2.2.6.3. The applicant keeps a copy of the technical file throughout the service life of the subsystem; a copy of the technical file is sent to any other Member State which so requests.
- 2.3. *Characteristics to be assessed*
- The characteristics to be assessed when applying the procedure for demonstrating the level of compliance with the basic parameters of the TSI are set out in:
- Table 1 for the infrastructure subsystem, and
  - Table 2 for the energy subsystem.

Table 1

**Assessment of the infrastructure subsystem for the EI demonstration of compliance**

Characteristics to be assessed (INF TSI)	Existing line not subject to EC verification	Particular assessment procedures
	1	2
Structure gauge (4.2.3.1)	X	6.2.4.1
Distance between track centres (4.2.3.2)	X	6.2.4.2
Maximum gradients (4.2.3.3)	X	
Minimum radius of horizontal curve (4.2.3.4)	X	6.2.4.4
Minimum radius of vertical curve (4.2.3.5)	X	6.2.4.4
Nominal track gauge (4.2.4.1)	X	6.2.4.3
Cant (4.2.4.2)	X	6.2.4.4
Cant deficiency (4.2.4.3)	X	6.2.4.4 6.2.4.5
Abrupt change of cant deficiency (4.2.4.4)	X	6.2.4.4
Equivalent conicity (4.2.4.5)	X	6.2.4.6
Railhead profile for plain line (4.2.4.6)	n.a	6.2.4.7
Rail inclination (4.2.4.7)	X	
Design geometry of switches and crossings (4.2.5.1)	X	6.2.4.8
Use of swing nose crossings (4.2.5.2)	X	6.2.4.8
Maximum unguided length of fixed obtuse crossings (4.2.5.3)	X	6.2.4.8
Track resistance to vertical loads (4.2.6.1)	X	6.2.5
Longitudinal track resistance (4.2.6.2)	X	6.2.5
Lateral track resistance (4.2.6.3)	X	6.2.5
Resistance of new bridges to traffic loads (4.2.7.1)	n.a.	
Equivalent vertical loading for new earthworks and earth pressure effects (4.2.7.2)	n.a.	
Resistance of new structures over or adjacent to tracks (4.2.7.3)	n.a.	
Resistance of existing bridges and earthworks to traffic loads (4.2.7.4)	X	6.2.4.10
The immediate action limit for alignment (4.2.8.1)	n.a.	

Characteristics to be assessed (INF TSI)	Existing line not subject to EC verification	Particular assessment procedures
	1	2
The immediate action limit for longitudinal level (4.2.8.2)	n.a.	
The immediate action limit for track twist (4.2.8.3)	n.a.	
The immediate action limit of track gauge as an isolated defect (4.2.8.4)	n.a.	
The immediate action limit for cant (4.2.8.5)	n.a.	
The immediate action limit for switches and crossings (4.2.8.6)	n.a.	
Usable length of platforms (4.2.9.1)	X	
Platform height (4.2.9.2)	X	
Platform offset (4.2.9.3)	X	6.2.4.11
Track layout along platforms (4.2.9.4)	X	
Maximum pressure variation in tunnels (4.2.10.1)	X	6.2.4.12
Effect of crosswinds (4.2.10.2)	X	6.2.4.13
Ballast pick-up (4.2.10.3)	Open point	
Location markers (4.2.11.1)	X	
Equivalent conicity in service (4.2.11.2)	n.a.	
Toilet discharge (4.2.12.2)	X	6.2.4.14
Train external cleaning facilities (4.2.12.3)	X	6.2.4.14
Water restocking (4.2.12.4)	X	6.2.4.14
Refuelling (4.2.12.5)	X	6.2.4.14
Electric shore supply (4.2.12.6)	X	6.2.4.14
Application of Interoperability Constituents	n.a.	

Table 2

**Assessment of the energy subsystem for the EI demonstration of compliance**

Characteristics to be assessed (ENE TSI)	Existing line not subject to EC verification	Particular assessment procedures
	1	2
Voltage and frequency (4.2.3)	X	
Parameters relating to supply system performance (4.2.4)	X	6.2.4.1

Characteristics to be assessed (ENE TSI)	Existing line not subject to EC verification	Particular assessment procedures
	1	2
Current capacity, DC systems, trains at standstill (4.2.5)	X	6.1.4.2
Regenerative braking (4.2.6)	X	6.2.4.2
Electrical protection coordination arrangements (4.2.7)	X	6.2.4.3
Harmonics and dynamic effects for AC traction power supply systems (4.2.8)	X	6.2.4.4
Geometry of the overhead contact line (4.2.9)	X	
Pantograph gauge (4.2.10)	X	
Mean contact force (4.2.11)	X	
Dynamic behaviour and quality of current collection (4.2.12)	X	6.1.4.1, 6.2.4.5
Pantograph spacing for overhead contact line design (4.2.13)	X	
Contact wire material (4.2.14)	X	
Phase separation sections (4.2.15)	X	
System separation sections (4.2.16)	X	
Protective provisions against electric shock (4.2.18)	X	6.2.4.6
Maintenance rules (4.5)	X	6.2.4.7

#### 2.4. Requirements for the independent assessor

- 2.4.1. An independent assessor selected by the applicant carries out the EI demonstration of compliance of existing lines. An independent assessor may be an external entity or an internal part of the Infrastructure Manager.
- 2.4.2. With respect to railway infrastructure, an independent assessor has:
- proper technical training;
  - a satisfactory knowledge of the requirements relating to the assessment and sufficient practice in performing the tests involved in this; and
  - the capacity to draw up EI certificates of demonstration and technical documents constituting the formal record of the assessments conducted.
- 2.4.3. An independent assessor who is internal to the Infrastructure Manager should meet the following requirements:
- the assessor and its personnel are organisationally identifiable and have reporting methods which ensure their impartiality;
  - neither the assessor nor its personnel may be held responsible for the operation or maintenance of the products they assess nor may they engage in any activity that could conflict with their independence of judgment or integrity in relation to their assessment activities;

2.5. *Declaration of demonstration*

2.5.1. The EI declaration of demonstration and accompanying documents are dated and signed.

2.5.2. That declaration is written in the same language as the technical file and contains the following:

- (a) the references to the procedure demonstrating compliance with Technical Specifications for Interoperability for existing lines;
  - (b) the trade name and full address of the applicant or its authorised representative established within the EU (if the representative is used, the trade name of the applicant must also be given);
  - (c) a brief description of the subsystem;
  - (d) the name and address of the independent assessor which conducted the EI demonstration of compliance;
  - (e) references of the documents contained in the technical file;
  - (f) all the applicable temporary or definitive provisions to be complied with by the subsystems and in particular, any operating restrictions or conditions;
  - (g) if temporary, the period of validity of the EI declaration of demonstration;
  - (h) the identity of the signatory.
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