

RECOMMENDATIONS

COMMISSION RECOMMENDATION

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

(Text with EEA relevance)

(2011/622/EU)

THE EUROPEAN COMMISSION,

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

Whereas:

According to Section 7.3.4 of the Annex to Commission Decision 2011/275/EU of 26 April 2011 concerning a technical specification for interoperability relating to the 'infrastructure' subsystem of the trans-European conventional rail system ⁽¹⁾, existing lines that are not subject to a renewal or upgrading project may allow the circulation of TSI-conform vehicles whilst meeting the essential requirements of 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 ⁽²⁾. The infrastructure manager should be able in this case, on a voluntary basis, to complete the register of

infrastructure in accordance with Annex D to Decision 2011/275/EU. A common procedure to be used for the demonstration of the level of compliance with the basic parameters of the TSI laid down in Decision 2011/275/EU should be recommended,

RECOMMENDS that

the procedure set out in the Annex be applied for demonstrating the level of compliance of existing fixed installations with the basic parameters of technical specifications for interoperability.

Done at Brussels, 20 September 2011.

For the Commission

Siim KALLAS

Vice-President

⁽¹⁾ OJ L 126, 14.5.2011, p. 53.

⁽²⁾ OJ L 191, 18.7.2008, p. 1.

ANNEX

Procedure for demonstrating the level of compliance of existing railway lines with the basic parameters of the technical specifications for interoperability**1. Introduction****1.1. Technical Scope**

This procedure concerns the following subsystems of the Union rail system:

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

These subsystems 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 Union rail system as determined by Directive 2008/57/EC.

1.3. Definitions

For the purpose of this procedure:

- (a) 'EI' means existing infrastructure (fixed installations) placed in service before the entry into force of Directive 2008/57/EC or lines placed in service after the entry into force of Directive 2008/57/EC without being subject to the EC verification procedure;
- (b) 'EI demonstration of compliance' means the verification whether basic parameters of a subsystem or/and an element of existing lines comply with requirements of the relevant TSIs;
- (c) 'EI certificate of demonstration' means the document issued by an independent assessor as a result of the EI demonstration of compliance;
- (d) 'EI declaration of demonstration' means the document issued by an applicant after receiving EI certificate of demonstration.

2. Procedure demonstrating compliance with Technical Specifications for Interoperability for existing lines**2.1. Purpose**

According to Decision 2011/275/EU concerning a technical specification for interoperability relating to the 'infrastructure' subsystem of the trans-European conventional rail system, existing lines that are not subject to a renewal or upgrading project may allow the circulation of TSI-conform vehicles whilst meeting the essential requirements of Directive 2008/57/EC.

Therefore, the following procedure may be applied for demonstrating compliance of existing fixed installations with the relevant TSIs without being subject to a new authorisation for putting into service.

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

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

- 1. Procedure for demonstration of the level of compliance with the basic parameters of the TSI is the EI demonstration of compliance procedure whereby the applicant fulfils the obligations laid down in points 2,3,5.2 and 5.4, and ensures and declares on his sole responsibility that the subsystem concerned, which has been subject to the provisions of point 4, satisfies the requirements of the relevant TSI(s).

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

3. Technical documentation

- 3.1. The applicant establishes the technical documentation and makes it available to the independent assessor referred to in point 4. The documentation should make it possible to demonstrate the level of compliance of the existing subsystem's with the basic parameters of the relevant TSI(s).

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

- (a) general description of the existing subsystem;
- (b) the documents necessary for the compilation of 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) where those harmonised or national standards have not been applied. In the event of partly applied harmonised or national standards, the technical documentation specifies the parts which have been applied;
- (d) conditions for use of the subsystem (restrictions of running time or distance, wear limits, etc.);
- (e) descriptions and explanations necessary for the understanding of the operation and maintenance of the subsystem;
- (f) conditions for maintenance and technical documentation regarding the maintenance of the subsystem;
- (g) any technical requirement specified in the relevant TSI(s) that have to be taken into account during maintenance or operation of the subsystem;
- (h) other appropriate technical evidences, which demonstrate that previous checking or tests have been successfully performed, under comparable conditions, by competent bodies.

- 3.3. The applicant keeps the technical documentation at the disposal of the relevant national authorities throughout the service life of the subsystem.

4. Procedure for demonstration of the level of compliance with the basic parameters of the TSI.

- 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.

- 4.2. The evidences gathered by the independent assessor should be suitable and sufficient to demonstrate the level of compliance with the requirement of the relevant TSI(s) and that all required and appropriate checks and tests have been carried out.

- 4.3. Where the existing subsystem meets the requirements of the relevant TSI(s), the independent assessor issues an EI certificate of demonstration.

5. EI declaration of demonstration

- 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.

5.2. The EI declaration of demonstration and the accompanying documents is written in accordance with Chapter 2.5.

5.3. A copy of the EI declaration of demonstration is made available to the relevant authorities upon request.

6. Technical file

6.1. The independent assessor is responsible for compiling the technical file that accompanies the EI declaration of demonstration.

6.2. The technical file accompanying the EI declaration of demonstration is lodged with the applicant.

6.3. The applicant keeps a copy of the technical file throughout the service life of the subsystem; it 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 demonstration of the level of compliance with the basic parameters of the TSI are set out in:

- Table 1 for the conventional rail infrastructure subsystem,
- Table 2 for the conventional rail energy subsystem,
- Table 3 for the high speed rail infrastructure subsystem, and
- Table 4 for the high speed rail energy subsystem.

Table 1

Assessment of the conventional rail infrastructure subsystem for the EI demonstration of compliance

Characteristics to be assessed (CR INF TSI)	Existing line not subject to any EC verification	Particular assessment procedures (CR INF TSI)
	1	2
Structure gauge (4.2.4.1)	X	6.2.4.1
Distance between track centres (4.2.4.2)	X	6.2.4.2
Maximum gradients (4.2.4.3)	X	
Minimum radius of horizontal curve (4.2.4.4)	X	
Minimum radius of vertical curve (4.2.4.5)	X	
Nominal track gauge (4.2.5.1)	X	
Cant (4.2.5.2)	X	
Rate of change of cant (4.2.5.3)	X	
Cant deficiency (4.2.5.4)	X	6.2.4.3
Equivalent conicity (4.2.5.5.1) — design	n.a.	
Equivalent conicity (4.2.5.5.2) — in-service	Open point	6.2.4.5
Railhead profile for plain line (4.2.5.6)	n.a.	
Rail inclination (4.2.5.7)	X	
Track stiffness (4.2.5.8)	n.a.	
Means of locking (4.2.6.1)	X	
In service geometry of switches and crossings (4.2.6.2)	n.a.	

Characteristics to be assessed (CR INF TSI)	Existing line not subject to any EC verification	Particular assessment procedures (CR INF TSI)
	1	2
Maximum unguided length of fixed obtuse crossings (4.2.6.3)	X	6.2.4.7
Track resistance to vertical loads (4.2.7.1)	X	6.2.5
Longitudinal track resistance (4.2.7.2)	X	6.2.5
Lateral track resistance (4.2.7.3)	X	6.2.5
Resistance of new bridges to traffic loads (4.2.8.1)	n.a.	
Equivalent vertical loading for new earthworks and earth pressure effects (4.2.8.2)	n.a.	
Resistance of new structures over or adjacent to tracks (4.2.8.3)	n.a.	
Resistance of existing bridges and earthworks to traffic loads (4.2.8.4)	X	6.2.4.9
Determination of immediate action, intervention and alert limits (4.2.9.1)	n.a.	
The immediate action limit for track twist (4.2.9.2)	n.a.	
The immediate action limit for variation of track gauge (4.2.9.3)	n.a.	
The immediate action limit for cant (4.2.9.4)	n.a.	
Usable length of platforms (4.2.10.1)	X	
Width and edge of platforms (4.2.10.2)	X	
End of platforms (4.2.10.3)	X	
Height of platforms (4.2.10.4)	X	
Offset of platforms (4.2.10.5)	X	
Maximum pressure variation in tunnels (4.2.11.1)	X	6.2.4.6
Noise and vibration limits and mitigation measures (4.2.11.2)	Open point	
Protection against electric shock (4.2.11.3)	See ENE	
Safety in railway tunnels (4.2.11.4)	See SRT	
Effect of crosswinds (4.2.11.5)	Open point	
Distance markers (4.2.12.1)	X	
Toilet discharge (4.2.13.2)	X	6.2.4.10
Train external cleaning facilities (4.2.13.3)	X	6.2.4.10
Water restocking (4.2.13.4)	X	6.2.4.10
Refuelling (4.2.13.5)	X	6.2.4.10
Electric shore supply (4.2.13.6)	X	6.2.4.10

Table 2

Assessment of the conventional rail energy subsystem for the EI demonstration of compliance

Characteristics to be assessed (CR ENE TSI)	Existing line not subject to any EC verification	Particular assessment procedures (CR ENE TSI)
	1	2
Voltage and frequency (4.2.3)	X	
Parameters relating to system performance (4.2.4)	X	6.2.4.1
Continuity of power supply in case of disturbances in tunnels (4.2.5)	X	
Current capacity, DC systems, trains at standstill (4.2.6)	X	
Regenerative braking (4.2.7)	X	6.2.4.2
Electrical protection coordination arrangements (4.2.8)	X	6.2.4.3
Harmonics and dynamic effects for AC systems (4.2.9)	X	6.2.4.4
Geometry of the overhead contact line: contact wire height (4.2.13.1)	X	
Geometry of the overhead contact line: Variation in contact wire height (4.2.13.2)	X	
Geometry of the overhead contact line: Lateral deviation (4.2.13.3)	X	
Pantograph gauge (4.2.14)	X	
Mean contact force (4.2.15)	X	
Dynamic behaviour and quality of current collection (4.2.16)	X	6.1.4.1, 6.2.4.5
Pantograph spacing (4.2.17)	X	
Contact wire material (4.2.18)	X	
Phase separation sections (4.2.19)	X	
System separation sections (4.2.20)	X	
Management of power supply in case of danger (4.4.2.3)	X	
Maintenance rules (4.5)	X	6.2.4.6
Protection against electric shock (4.7.2, 4.7.3, 4.7.4)	X	

Table 3

Assessment of the high speed rail infrastructure subsystem for the EI demonstration of compliance

Characteristics to be assessed (HS INF TSI)	Existing line not subject to any EC verification	Particular assessment procedures (HS INF TSI)
	1	2
Nominal track gauge (4.2.2)	X	
Minimum structure gauge (4.2.3)	X	6.2.6.1
Distance between track centres (4.2.4)	X	
Maximum rising and falling gradients (4.2.5)	X	

Characteristics to be assessed (HS INF TSI)	Existing line not subject to any EC verification	Particular assessment procedures (HS INF TSI)
	1	2
Minimum radius of curvature (4.2.6)	X	
Track cant (4.2.7)	X	
Cant deficiency (4.2.8)	X	
Equivalent conicity (design value) (4.2.9.2)	n.a.	
Minimum value of mean track gauge (4.2.9.3.1)	n.a.	
Track Geometrical Quality and limits on isolated defects (4.2.10)	n.a.	
Rail inclination (4.2.11)	X	6.2.6.4
Means of locking (4.2.12.1)	X	
Use of swing nose (4.2.12.2)	X	
Geometrical characteristics (4.2.12.3)	n.a.	
Track resistance (4.2.13)	X	
Traffic load on structures (4.2.14)	X	
Global track stiffness (4.2.15)	Open point	6.2.6.3
Maximum pressure variations in tunnels (4.2.16)	X	6.2.6.5
Effect of crosswinds (4.2.17)	X	
Electrical characteristics (4.2.18)	X	
Noise and vibrations (4.2.19)	n.a.	
Access to platforms (4.2.20.1)	X	
Usable length of platform (4.2.20.2)	X	
Platform height and distance from the centre of the track (4.2.20.4-5)	X	
Track layout along the platforms (4.2.20.6)	X	
Prevention of electric shock (4.2.20.7)	See HS ENE	
Access for people with reduced mobility (4.2.20.8)	See PRM	
Fire safety and safety in railway tunnels (4.2.21)	See SRT	
Access to or intrusion into line installations (4.2.22)	X	
Lateral space for passengers in the event of deraiment outside of a station (4.2.23)	X	
Length of stabling track (4.2.25.1)	X	
Gradient of stabling track (4.2.25.2)	X	
Radius of curvature (4.2.25.3)	X	
Fixed installations for servicing trains (4.2.26)	X	

Table 4

Assessment of the high speed energy subsystem for the EI demonstration of compliance

Characteristics to be assessed (HS ENE TSI)	Existing line not subject to any EC verification	Particular assessment procedures (HS ENE TSI)
	1	2
Voltage and frequency (4.2.2)	X	
System performance and installed power (4.2.3)	X	
Regenerative braking (4.2.4)	X	
Continuity of power supply (4.2.7)	n.a.	
Overhead contact line overall design, geometry (4.2.9)	X	
Compliance of the overhead contact line system with infrastructure gauge (4.2.10)	X	
Contact wire material (4.2.11)	X	
Contact wire wave propagation speed (4.2.12)	n.a.	
Static contact force (4.2.14)	n.a.	
Mean contact force (4.2.15)	X	
Quality of current collection with mean contact force (4.2.16)	X	4.2.16.2.1, 4.2.16.2.3
Vertical movement of the contact point (4.2.17)	X	
Current capacity of overhead contact line (4.2.18)	X	
Current at standstill (4.2.20)	X	
Phase separation sections (4.2.21)	X	
System separation sections (4.2.22)	X	
Electrical protection coordination arrangements (4.2.23)	X	
Harmonics and dynamic effects (4.2.25)	n.a.	
Power supply in case of danger (4.4.1)	X	
Maintenance — Manufacturer's responsibilities (4.5.1)	n.a.	
Maintenance — Infrastructure Manager's responsibilities (4.5.2)	n.a.	
Protection against electric shock (4.7.1, 4.7.2, 4.7.3)	X	

2.4. Requirements for independent assessor

1. An independent assessor selected by the applicant carries out the EI demonstration of compliance of the existing lines. An independent assessor may be an external entity or an internal part of the Infrastructure Manager.
2. With respect to railway infrastructure, the independent assessor possesses:
 - (a) proper technical training;
 - (b) a satisfactory knowledge of the requirements relating to the assessment that he carries out and sufficient practice in those checks; and
 - (c) the ability to draw up EI certificates of demonstration and technical documentations which constitute the formal record of the assessments conducted.

3. An independent assessor as an internal part of the Infrastructure Manager meets the following requirements:

- (a) the assessor and its personnel is organisationally identifiable and has reporting methods which ensure their impartiality;
- (b) neither the assessor nor its personnel is responsible for the operation or maintenance of the products they assess nor do they engage in any activity that might conflict with their independence of judgment or integrity in relation to their assessment activities;
- (c) the assessor supplies its services exclusively to the undertaking of which it forms a part.

2.5. *Declaration of demonstration*

1. The EI declaration of demonstration and accompanying documents are dated and signed.
 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) name and address of the applicant or its authorised representative established within the EU (give trade name and full address; in case of representative, also give the trade name of applicant);
 - (c) a brief description of the subsystem;
 - (d) name and address of independent assessor which conducted the EI demonstration of compliance;
 - (e) the references of the documents contained in the technical file;
 - (f) all the relevant temporary or definitive provisions to be complied with by the subsystems and in particular, where appropriate, any operating restrictions or conditions;
 - (g) if temporary, duration of validity of the EI declaration of demonstration;
 - (h) identity of the signatory.
-