Rail transport: interoperability of the trans-European conventional rail system

1999/0252(COD) - 28/07/2006 - Implementing legislative act

ACT: Commission Decision concerning the technical specifications of interoperability relating to the subsystem rolling stock – freight wagons' of the trans-European conventional rail system.

CONTENT: this legislative act establishes the "Technical Specification for Interoperability", or TSI, for **rolling stock – freight wagons' subsystem of the trans-European conventional system**. The specifications of the new TSI are set out in Annex to this Decision.

The TSI will be fully applicable to the freight wagon rolling stock of the trans-European conventional rail system. Its specifications will apply to renewal but not to maintenance-related replacements. However, Member States are expected to apply the TSI to maintenance related replacements. Further, the putting into service of new, renewed or upgraded wagons must take full consideration of any impact they may have on the environment. In its current version the TSI does not deal fully with all aspects of interoperability. Those items which are not dealt with are classified as "Open Points" in Annex JJ of the TSI.

The Member States are required to notify the following items to the Commission and the other Member States within six months of this Decision being notified:

- The list of applicable technical rules relating to "Open points";
- The conformity assessment and checking procedures.
- The names of those bodies authorised to carry out conformity-assessment and checking procedures.

In additions, Member States will be obliged to notify:

- national, bilateral or multilateral agreements between the Member States and railway undertakings or infrastructure managers, agreed either on a permanent or a temporary basis, and necessitated by the very specific or local nature of the intended transport service;
- bilateral or multilateral agreements between railway undertakings, infrastructure managers or safety authorities which deliver significant levels of local or regional interoperability;
- international agreements between one or more Member State and at least one third country or between railway undertakings or infrastructure managers and at least one railway undertaking or infrastructure manager of a third country which deliver significant levels of local or regional interoperability.

Provisions set out in Decision 2004/446/EC and which concern the basic parameters of the trans-European conventional rail system will no longer apply once this Decision becomes applicable.

DATE OF NOTIFICATION: 28 July 2006.

DATE OF APPLICATION: 28 January 2007.