

# OPINION

*OPI 2021-6*

## OF THE EUROPEAN UNION AGENCY FOR RAILWAYS

for

Italy

regarding

Negative assessment of National Rules and acceptable means of compliance of Italy in addition to the latest TSIs in force for the Rolling Stock and on-board CCS subsystems notified in the Reference Document Database by Member States according to Article 26 of the Agency Regulation

### Disclaimer:

The present document is a non-legally binding opinion of the European Union Agency for Railways. 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

- 1.1 The scope extension of TSIs (with effect on 01 January 2015), as well as the functional and technical harmonisation of requirements within TSIs made a series of national rules redundant and unnecessary.
- 1.2 Articles 13 (2) and 14 (4) of Directive (EU) 2016/797 indicate clearly and exhaustively the cases where national rules may continue to apply:
- New national rules may only be adopted by Member States only in of the following cases (article 14(4)):
    - o when a TSI does not fully meet the essential requirements.
    - o as an urgent preventive measure, in particular following an accident.
  - The application of existing national rules (article 13(2)) is limited to:
    - o where the TSIs do not cover, or do not fully cover, certain aspects corresponding to the essential requirements, including **open points** as referred to in Article 4(6),
    - o where non-application of one or more TSIs or parts of them has been notified under article 7 of Directive (EU) 2016/797,
    - o Specific cases listed but not described in TSIs,
    - o Ensure technical compatibility with existing network not yet in compliance with TSI,
    - o Vehicles excluded from the scope of TSIs,
    - o Urgent temporary preventive measure, in particular following an accident.
- 1.3 According to article 14 (1) of Directive (EU) 2016/797, Member States had to notify existing national rules (listed in Article 13 (2)) before 16 December 2016 and are obliged to notify draft national rules. When notifying an existing national rule or a draft national rule, Members States have to provide justification for the existence of national rules (e.g. identification of the related open-point) substantiating the case(s) (of Article 13 (2)) under which the rules fall.
- 1.4 Regarding structural subsystems that are constituting a vehicle namely on-board control-command and signalling and rolling stock, Member States shall notify their national rules in accordance with article 14 of Directive(EU) 2016/797. According to the communication of the Commission in RISC, until the Single Rules Database is available, the notification is performed in the Reference Document Database (RDD).
- 1.5 Since 2016, in accordance to the ERA programme plan on cleaning-up of national rules ERA-PRG-006-PPL, Member States and the Agency started the activity on identification and evaluation of national rules in addition to the following TSIs:
- TSI WAG: Commission Regulation (EU) No 321/2013, amended by Regulation (EU) No 1236/2013,
  - TSI LOC&PAS: Commission Regulation (EU) No 1302/2014,
  - TSI PRM: Commission Regulation (EU) No 1300/2014,
  - TSI Noise: Commission Regulation (EU) No 1304/2014,
  - TSI CCS: Commission Regulation (EU) No 2016/919 (including ERA/ERTMS/033281 rev 3.0 dated 04/12/2015).
- 1.6 From 16 June 2019 and pending the deployment of the Single Rules Database, the Reference Document Database has been the reference for applicants, NSAs and the Agency in terms of notification of applicable national rules for vehicle authorisation.
- 1.7 The scope of this technical opinion covers the examination of national rules (existing or draft) which resulted to a negative assessment by the Agency.

1.8 The complete assessment covering the examination of all national rules (existing or draft) in addition to TSIs mentioned in section 1.5 is available in the Evaluation Report of remaining national rules ERA-PRG-006-REP-RST.

## 2. Legal Background

2.1 According to the provisions of article 13 (2) of Directive (EU) 2016/797, national rules and where relevant acceptable national means of compliance shall apply in the cases defined below:

- a) where the TSIs do not cover, or do not fully cover, certain aspects corresponding to the essential requirements, including open points;
- b) where non-application of one or more TSIs or parts of them;
- c) where a specific case requires the application of technical rules not included in the relevant TSI;
- d) national rules used to specify existing systems, limited to the aim of assessing technical compatibility of the vehicle with the network;
- e) networks and vehicles not covered by TSIs;
- f) as an urgent temporary preventive measure, in particular following an accident.

2.2 According to the provisions of article 14 (9) of Directive (EU) 2016/797, draft national rules and national rules referred to in paragraph 1 shall be examined by the Agency in accordance with the procedures laid down in Articles 25 and 26 of Regulation (EU) 2016/796.

2.3 For draft rules: According to the provisions of Article 25 (3) of Regulation (EU) 2016/796, where the examination referred to in paragraph 1 leads to a negative assessment, the Agency shall inform the Member State concerned and ask it to state its position regarding that assessment. If, following that exchange of views with the Member State concerned, the Agency maintains its negative assessment, the Agency shall within a maximum period of 1 month:

- (a) issue an opinion addressed to the Member State concerned, stating the reasons why the national rule or rules in question should not enter into force and/or be applied; and
- (b) inform the Commission of its negative assessment, stating the reasons why the national rule or rules in question should not enter into force and/or be applied.

*This shall not prejudice the right of a Member State to adopt a new national rule in accordance with point (c) of Article 8(3) of Directive (EU) 2016/798 or with point (b) of Article 14(4) of Directive (EU) 2016/797*

2.4 For existing rules: According to the provisions of Article 26 (3) of the Agency Regulation 2016/796, where the examination referred to in paragraph 1 leads to a negative assessment, the Agency shall inform the Member State concerned and ask it to state its position regarding that assessment. If, following that exchange of views with the Member State concerned, the Agency maintains its negative assessment, the Agency shall within a maximum period of 1 month:

- (a) issue an opinion addressed to the Member State concerned, stating that the national rule or rules in question has or have been the subject of a negative assessment and the reasons why the rule or rules in question should be modified or repealed; and
- (b) inform the Commission of its negative assessment, stating the reasons why the national rule or rules in question should be modified or repealed.

### 3. Analysis

#### 3.1. Tasks under the responsibility of the Member States:

In accordance to the rules cleaning-up program plan ERA-PRG-006-PPL from March 2016, Member States were asked to:

- Identify and remove national rules covered by TSIs,
- Relate national rules to the TSIs and to the updated list of parameters defined in Commission Implementing Decision (EU) 2015/2299,
- Clearly refer national rules not related to open point(s) or specific case(s) to TSI requirements in order to identify if they complement/contradict/replace TSIs for compatibility with existing networks,
- Ensure that the requirement is a mandatory rule. Acceptable national means of compliance in accordance to the definition in article 2 (34) of Directive 2016/797 is not considered as a national rule,
- Identify and analyse requirements that don't relate to any of the above, verify, in this case for example if the TSI is deficient/non-exhaustive.

Based on the outcome of this activity, Member States should have:

- Published their national rules in the Reference Document Database and
- Aligned their national legislation for vehicle authorisation with the Reference Document Database.

#### 3.2. Tasks carried out by the Agency

During the project of cleaning up of national rules for vehicle authorisation covered by the Rules cleaning up program plan ERA-PRG-006-PPL, the Agency has:

- Provided technical support to Member States in the cleaning up of the remaining rules by ensuring:
  - That rules relate to: Open points, Specific cases, Legacy system or rule duly justified for compatibility with existing fixed installation (i.e. a specific case not declared up to now).
  - Consistency with the EU framework, including register of infrastructure and responsibilities of actors as defined in the Safety Directive and TSI OPE.
  - That the rule is transparent and not discriminatory.
  - The update of the Reference Document Database.
- Assessed the relevance of the remaining national rules together with the Member States, using the Reference Document Database as a reference.
- Provided regular reporting to European Commission on the progress made.
- Updated the Reference Document Database with the status of the evaluation.
- In accordance with article 25(3) and 26(3) of Regulation (EU) 2016/796, the Agency informed officially the Member States and the European Commission through an assessment report published in ERA website on June 2019, on the national rules in addition to latest TSIs (ERA-PRG-006-REP-RST). This report was published on the ERA website and uploaded on the CIRCABC.
- The Agency asked to the Member States to check the report, to provide comments and to take into consideration the actions proposed.
- The following table summarised the actions that were performed by ERA and NSA Italy to review the remaining national rules for vehicle authorisation:

Date	Actions/Activities
June 2019	ERA provided to NSA Italy the assessment report ERA-PRG-006-REP-RST
December 2019	NSA Italy sent its comments to the report on 11 December 2019.  Due to an increase of vehicle authorisation applications, the Agency decided to temporarily re-allocate its resources allocated to the cleaning-

Date	Actions/Activities																					
	up of national rules program to the vehicle authorisation activities and to postpone the evaluation of national rules.																					
<b>July 2021 – Sept 2021</b>	The Agency reinitiated the cleaning-up program and started the evaluation of Italian comments/justifications in July 2021. A first feedbacks on national rules was sent to NSA Italy on the 1 <sup>st</sup> September 2021.																					
<b>Sept 2021 – Oct 2021</b>	NSA Italy performed an analysis of ERA assessments and provided additional explanations/justifications of their national rules on 1 <sup>st</sup> October 2021. This analysis includes the reduction of national rules.																					
<b>15 October 2021</b>	The Agency informed NSA IT and European Commission on its assessment on national rules for vehicle authorisation of Italy with the status. <table border="1" data-bbox="513 703 1350 1086"> <thead> <tr> <th>Status</th> <th>01/09/2021</th> <th>15/10/2021</th> </tr> </thead> <tbody> <tr> <td>Accepted</td> <td>22</td> <td>29</td> </tr> <tr> <td>Other EU directives (Not reviewed)</td> <td>4</td> <td>4</td> </tr> <tr> <td>Not accepted, NR should be modified</td> <td>34</td> <td>27</td> </tr> <tr> <td>Not accepted, NR should be repealed</td> <td>41</td> <td>32</td> </tr> <tr> <td>Wasted</td> <td>2</td> <td>11</td> </tr> <tr> <td><b>Total</b></td> <td><b>103</b></td> <td><b>103</b></td> </tr> </tbody> </table>	Status	01/09/2021	15/10/2021	Accepted	22	29	Other EU directives (Not reviewed)	4	4	Not accepted, NR should be modified	34	27	Not accepted, NR should be repealed	41	32	Wasted	2	11	<b>Total</b>	<b>103</b>	<b>103</b>
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<b>25 October 2021</b> <b>27 October 2021</b> <b>10 November 2021</b> <b>11 November 2021</b> <b>01 December 2021</b> <b>09 December 2021</b> <b>10 December 2021</b> <b>16 December 2021</b>	Several meetings between the Agency and NSA Italy were organised to discuss on the remaining national rules taking into account NSA Italy justifications and ERA assessment. The review allowed to reduce considerably the number of national rules and acceptable means of compliance negatively assessed from 75 in September 2021 to 23 End of December 2021.																					

- Except for the rules negatively assessed, NSA Italy took into consideration most of the actions proposed by ERA during the assessment and revised their national rules. Following the exchanges between the Agency and NSA Italy, some national rules have been proposed as recommendation (acceptable means of compliance not binding) The publication of the revised rules in RDD is under preparation.
- This technical opinion provides the evaluation on the 23 remaining national rules or acceptable means of compliance (not binding) concerned by a negative assessment.

### 3.2.1. National rules and acceptable means of compliance subject to assessment by the Agency

The table 1 below provides an overview of national rules and acceptable means of compliance notified by Member States and subject or not to an assessment by the Agency:

**Table 1 : Overview of national rules and acceptable means of compliance notified by Member States and subject or not to an assessment by the Agency**

National Rules and acceptable means of compliance relates to	Published in RDD	Evaluated	Remarks
<b>Vehicles in the scope of LOC&amp;PAS and WAG TSIs</b>	Yes	Yes	Freight wagons, Locomotives, Trainsets / Electric or Diesel Multiple Unit, Passenger coaches, Track machines/OTMs.
<b>Article 13.2(a): Open points listed in TSIs</b>	Yes	Yes	TSIs clearly identify where a national rule may be kept and notified; traceability between TSIs and possible remaining national rules is clearly established, and the corresponding rules are recorded in RDD.  The Agency checked if the national rule covers the scope of the open point.
<b>Article 13.2(a): Other Directives</b>	Yes	No	Corresponding rules are available in RDD. Anyway, it will have to be decided at later stage with the Commission how to deal with these rules, considering the mentioned Directives. As a general principle, the TSIs in force don't cover subjects in the scope of these other EU Directives.  Corresponding parameters are defined in section 3.2.3 of the report ERA-PRG-006-REP-RST
<b>Article 13.2 (b): Non application of TSI</b>	No	No	
<b>Article 13.2 (c): Specific cases mentioned but not described in TSIs</b>	Yes	Yes	TSIs clearly identify where a national rule may be kept and notified. Traceability between TSIs and possible remaining national rules is clearly established, and the corresponding rules are recorded in RDD.  The Agency checked if the national rule covers the scope of the specific case.
<b>Article 13.2(d): Technical compatibility between vehicle and existing network(s)</b>	Yes	Yes	This includes vehicles with ETCS pre-baseline 2 versions (e.g. 2.2.2), additional functionality implemented on-board (e.g. NTRs from other MS) and TSI options implemented trackside (e.g. infill).
<b>Article 13.2 (e): Vehicles not covered by TSIs</b>	No	No	Concern vehicles such as Tram-Train, metric gauge vehicle.
<b>Article 13.2 (f): Urgent temporary preventive measure following an accident</b>	No	No	
<b>TSI potentially deficient or not exhaustive</b>	Yes	Yes	National rules when accepted by the Agency are maintained pending the resolution of the potential deficiency.
<b>Previous versions of TSIs not listed in section 3.1.2 of the report ERA-PRG-006-REP-RST</b>	Yes	No	
<b>Vehicle not TSI compliant authorised before TSIs.</b>	Yes	No	Rules are in RDD for reference/history and are not subject to Agency evaluation.

### 3.2.2. Summary of the results of the examination of national rules and acceptable means of compliance

The table 2 below provides an overview of the number of national rules and acceptable means of compliance notified by the Member State in addition to the TSIs referred in section 1 and the results of the examination leading to a positive or negative assessment. Annex 1 provides details of the evaluation leading to negative assessment.

**Table 2 : Number of national rules and acceptable means of compliance notified by Member states in RDD and results of the examination**

Member State:	National rules and acceptable means of compliance	Results of the examination		Remarks on requirements negatively assessed
		Positive assessment	Negative assessment	
National rules	65	48	17	6 should be modified 11 should be repealed
Acceptable means of compliance (not mandatory)	25	19	6	1 should be modified 5 should be repealed


## 4. The opinion

In accordance with article 26 of Regulation 2016/796, the opinion covers the examination of national rules and acceptable means of compliance notified in RDD by the Agency leading to a negative assessment.

Annex 1 provides to the Member State:

- The list of actions to be taken into account,
- An assessment table with:
  - The national rules and acceptable means of compliance concerned,
  - The Agency assessment of each rule and the reasons why this is not accepted,
  - The status of the assessment indicating whether the rule(s) should be modified or repealed.

Valenciennes, 17/01/2022

  
Josef DOPPELBAUER  
Executive Director

## 5. ANNEX 1 – Examination of national rules and acceptable means of compliance notified in RDD leading to negative assessment

The national rules notified by Italy in Reference Document Database are extracted from the national legislation: *DECRETO n. 1/2016 - Riordino normativo, standard tecnico, sottosistemi materiale rotabile e controllo-comando e segnalamento di bordo - Norme tecniche nazionali in materia di sottosistemi costituenti i veicoli ferroviari relative alla autorizzazione di messa in servizio dei veicoli-Authority issued rule/regulation.*

During the assessment performed by the Agency and exchanges with NSA Italy, some national rules have been modified by Italy taking into account the Agency assessment.

The following actions should be taken into account by Italy:

- National legislation Decreto n1/2016 should be revised and aligned with last version of national rules and acceptable means of compliance discussed between NSA Italy and the Agency.
- RDD should be updated with last version of rules and acceptable means of compliance discussed with Agency. A publication of national rules and acceptable means compliance in RDD even as draft should be performed pending that the Decreto n1/2016 and discussions between Italy and European Commission on the follow up of this technical opinion are finalised in accordance with article 26 of ERA regulation.

The table below presents the national rules and acceptable means of compliance where the evaluation performed by the Agency leads to a negative assessment.



Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
RST	Acceptable means of compliance (not mandatory) related to compatibility with network / legacy system	<p><u>3.3.2-Wheelset (complete):</u></p> <p>Dovrebbero essere forniti tutti i dati previsti dalla norma EN 15313 per garantire la tracciabilità della manutenzione delle sale montate. Tali dati tecnici dovrebbero essere presenti nella documentazione relativa alla manutenzione come riportato in LOC&amp;PAS TSI 4.2.12.3.</p>	<p>The requirement relates to clauses 4.2.3.5.2 and 4.2.12.3 of LOC&amp;PAS TSI 1302/2014.</p> <p><b>NSA Italy justification:</b></p> <p>NSA Italy indicated that following what happened in Viareggio accident, it was decided to introduce the mandatory traceability of the maintenance of the wheelsets according to the EWT protocol into the TSI wagons. This obligation must also concern the wheelset of vehicles other than wagons. Since the EN 15313 standard has included the EWT, it is considered essential, in order to guarantee the same level of safety of the wagons, to ask for the application of the same also to this type of vehicle so that already in the manufacturing phase they can be collected, then tracing the evolution, all the data required for traceability in EN 15313. If the reference to EN 15313 is not generally accepted, it can be specified which part must be respected during the authorization phase. Please note that the request for mandatory application of a standard does not prevent the applicant from proposing another standard, he can do it, but the applicant will have to demonstrate that this alternative standard guarantees the same level of security.</p> <p>To guarantee the traceability of wheelset it is already necessary in the authorization phase to collect the data previewed in the EWT procedure.</p> <p>At today nothing is written in the TSI LOC&amp;PAS neither in the application guide.</p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			<p>Following exchanges with the Agency, NSA Italy maintained the requirement as a recommendation (not binding), traceability of critical components in particular wheelset (see EWT protocol) is important. The EN15313 is a harmonised standard at European level that should be respected by the manufacturer concerning the data necessary for maintenance activity.</p> <p><b>Agency examination:</b></p> <p>The requirement even as voluntary is already covered by TSI LOC&amp;PAS requirements in clause 4.2.3.5.2 and 4.2.12.3.</p> <p>The Applicant is responsible for gathering the documentation for maintenance in the technical file (including those that may be defined and provided by its subcontractors), this documentation is assessed by the NoBo according to the clause 6.2.6 of the TSI: compilation; technical content not assessed.</p> <p>Maintenance documentation is not required to be the final documentation to be used by the Entity in Charge of Maintenance (ECM), who has to take into account real operating and maintenance conditions in order to issue maintenance procedures or manuals that are directly applied by workers in charge of maintenance.</p> <p>In addition, wheelset requirements are covered in the LOC&amp;PAS TSI clause 4.2.3.5.2 and associated clauses. The EN15313 is already referred in LOC&amp;PAS TSI application guide as voluntary standard for TSI clause 4.2.3.5.2.1.</p>	

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			The Agency will reflect to provide an annex to the Entity in Charge of Maintenance guideline on European harmonised standards that can be used on voluntary basis as good practice.	
RST	Other rules related to compatibility with network / legacy system	<p><u>4.1-Functional requirements for braking at train level:</u></p> <p>In tutti gli ambiti di “Sicurezza (safety)” relativi alla frenatura si applicano prioritariamente la norma EN 50126 e, per quanto riguarda le funzionalità realizzate via software, la norma EN 50128. È consentita anche l’applicazione di altre norme, comparabili con le norme EN 50126 e EN 50128.</p>	<p>The national rule relates to clauses 4.2.4.2.2. and 6.2.3.5 of LOC&amp;PAS TSI.</p> <p><b>NSA Italy justification:</b></p> <p>NSA Italy mandates application of EN 50126 and EN50128, NSA Italy indicates that the EN standards provides harmonized risk acceptance criterion that is not provided by CSM RA. ENs referred give presumption of conformity with CSM.</p> <p><b>Agency examination:</b></p> <p>The national rules indicates that others methodology can also be used <i>“È consentita anche l’applicazione di altre norme, comparabili con le norme EN 50126 e EN 50128”</i></p> <p>TSI LOC&amp;PAS clause 6.2.3.5 refers to application of CSM regulation 402/2013 amended also by regulation 2015/1136 that provides the harmonised CSM design targets. In addition, TSI LOC&amp;PAS application guide refers already to following voluntary standard: EN 50126-1:2017, EN 50128:2011, relevant clauses, EN 50657:2017 (relevant clauses).</p>	Not accepted, should be repealed
RST	Acceptable means of compliance (not mandatory) related	<p><u>4.1-Functional requirements for braking at train level:</u></p> <p>I sistemi di misura utilizzati per verificare lo stato di funzionalità del sistema frenante secondo 4.2.4.9 devono</p>	The requirement relates to clause 4.2.4.9 of LOC&PAS TSI 1302/2014.	Not accepted,

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
	to compatibility with network / legacy system	avere una classe di precisione adeguata al tipo di controllo da svolgere.	<p><b>NSA Italy justification:</b></p> <p>The requirement is originated by the need to carry out adequate brake tests prior to the start of a railway service, as prescribed by the Italian Regulation concerning operations (ANSF Decree 4/2012), binding on the entire Italian Network; the requirement applies to units equipped with a UIC pneumatic brake and establishes minimum requirements for the instrumentation available to the driver so that he can perform the brake test in a precise, reliable and repeatable manner; the requirement, introduced in Italy following negative experiences of some projects that did not allow due diligence of the braking system, must therefore be maintained in the NRD Italy as it is a necessary requirement for technical compatibility with the Italian Network;</p> <p>Following exchanges with the Agency, NSA Italy propose a revised requirement that is a recommendation (not mandatory).</p> <p><b>Agency examination:</b></p> <p>The requirement related to brake tests to be performed by Railway Undertaking before departure is out of the scope of vehicle authorisation and is covered by clause 4.2.3.3.1 of OPE TSI. -Regarding control of braking state, it is covered by clause 4.2.4.9 of LOC&amp;PAS TSI.</p>	should be repealed
RST	Acceptable means of compliance (not mandatory) related	<u>4.3-Brake system - Recognised architecture and associated standards</u>	The requirement relates to clauses 4.2.4.3 and 4.2.4.5 of LOC&PAS TSI.	Not accepted,

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
	to compatibility with network / legacy system	Per le locomotive (unità progettate per trainare carri merci o vetture passeggeri) valutate per l'esercizio generale, con un sistema frenante tipo UIC provvisto di un solo distributore, la prestazione del freno diretto deve essere almeno equivalente a quella del freno continuo.	<p><b>NSA Italy justification:</b></p> <p>The requirement applies to locomotives (covered by the LOC &amp; PASS TSI and by EN 14198), for which the LOC &amp; PASS TSI imposes in § 4.2.4.4.3 the obligation to install a direct brake, while EN 14198 imposes it on § 5.6.2.1 installation in the case of locomotives which can be operated individually.</p> <p>Both the LOC &amp; PASS TSI and the EN 14198 define a series of functional requirements of the direct brake, which are also adopted without modifications in the NRD Italy; these requirements, in terms of application times of maximum braking with the direct brake, are equivalent to the application times of the UIC type brake.</p> <p>In terms of braking performance, on the other hand, no specific requirements are defined for the direct brake, only the maximum adhesion limits used are shown in § 4.2.6.4.1 of the LOC &amp; PASS TSI and in § 5.6.2.3 of EN 14198.</p> <p>Paragraphs 4.2.4.5 of the LOC &amp; PASS TSI and 6 of EN 14198 define the performance requirements of the braking system, in EN 14198 it is specified that one of the degraded configurations subject to verification of braking performance is the one corresponding to the loss of a distributor (or relay valve) which results in a 50% (or 100%) loss of braking force, which is potentially mitigated by the application of direct brake.</p>	should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			<p>Therefore, there are no requirements for verifying the performance of the direct brake, nor is information in the technical authorization file that specifies any calculated performance of the direct brake.</p> <p>In Italy there have been experiences of locomotives with performance of the direct brake lower than that of the UIC type brake, which led to difficulties</p> <p>Following exchanges with the Agency, NSA Italy proposes the requirement as a recommendation (not mandatory).</p> <p><b>Agency examination:</b></p> <p>The recommendation is covered by TSI LOC&amp;PAS 1302/2014:</p> <ul style="list-style-type: none"> <li>• Clause 4.2.4.3 indicates that units designed and assessed to be operated in general operation (various formations of vehicles from different origins; train formation not defined at design stage) (...) shall be fitted with a brake system with a brake pipe compatible with the UIC brake system. To this end, the specification referenced in clause 5.4 of EN 14198:2016 'Requirements for the brake system of trains hauled by a locomotive' specifies the principles to be applied.</li> </ul> <p>It is to be noted that the EN 14198:2016 is also mentioned in the TSI application guide for Design principle of brake system:</p> <ul style="list-style-type: none"> <li>- Clause 5.4 of EN 14198 defines requirements applicable to EN UIC brake system.</li> </ul>	

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			<p>- Clause 5.6 of EN 14198 indicates that direct brake is an additional brake and clause 5.6.2.1 indicates that the direct brake is not designed for use as a main brake system on a train level.</p> <ul style="list-style-type: none"> <li>• Clause 4.2.4.4.3 indicates that Locomotives (...) assessed for general operation shall be fitted with a direct brake system, the direct brake system shall allow the application of a brake force on the concerned unit(s) independently of the main brake command, with other unit(s) of the train remaining without brake applied.</li> <li>• Clause 4.2.4.5 covers braking performance see also clause 6 of EN 14198:2016.</li> </ul>	
CCS	Rules related to ETCS and GSMR	<p><b>4.4.1-Emergency braking command:</b></p> <ul style="list-style-type: none"> <li>• Requisiti E_002, E_003, E_004, E_006: per il dettaglio vedi il campo 'Description' :</li> <li>• E_002 (requisito sia per SSB ETCS stand alone che per SSB ETCS con STM SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Il richiedente l'AMIS deve svolgere l'analisi del rischio ed individuare le eventuali mitigazioni a fronte dell'hazard "spezzamento treno" considerando anche il caso di guasto safety critical che si presenti in modalità SL.</li> <li>• E_003 (requisito sia per SSB ETCS stand alone che per SSB ETCS con STM SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Il comando di frenatura inviato dal CCS al sistema frenante deve essere attuato mediante un dispositivo di interfaccia con</li> </ul>	<p>The national rules relate to safe integration of CCS onboard into vehicle.</p> <p><b>NSA Italy justification:</b></p> <ul style="list-style-type: none"> <li>• E_002, E_004: mandatory as it provides harmonized risk acceptance criterion</li> <li>• E_003: the national rule covers targets indicated for TSI CCS open point “reliability/availability requirements”,</li> <li>• E_006: tests to be performed by ETCS when activated</li> </ul> <p><b>Agency examination:</b></p> <ul style="list-style-type: none"> <li>• E_002, E_004: Not accepted, safe integration of the subsystems CCS in the vehicle is part of Vehicle Authorisation covered by regulation (EU) 2018/545 and responsibility of Applicant.</li> </ul>	Not accepted, should be modified

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>caratteristiche di ridondanza, ad esempio mediante due elettrovalvole in modo che la disalimentazione di almeno una delle due provochi la scarica della condotta generale.</p> <ul style="list-style-type: none"> <li>• E_004 (requisito sia per SSB ETCS stand alone che per SSB ETCS con STM SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Qualsiasi avaria al dispositivo di interfaccia con il sistema frenante deve provocare lo scarico della condotta generale.</li> <li>• E_006 (requisito sia per SSB ETCS stand alone che per SSB ETCS con STM SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): all'atto dell'accensione, deve essere verificato che i tempi di applicazione della frenatura comandata siano coerenti con quelli presi a riferimento nelle valutazioni della frenatura di emergenza di ui al punto 4.2.4.5.2 STI LOC&amp;PASS.</li> </ul>	<ul style="list-style-type: none"> <li>• E_003: accepted, the rule should be drafted following clause 4.2.1.2 of CCS TSI (Frequent occurrences of degraded situations caused by failures of control-command and signalling equipment will decrease the system safety.)</li> <li>• E_006: Not accepted, the requirement is already covered by clause 4.2.2 (7)(5) of CCS TSI. In addition, this aspect should be covered by safe integration of the subsystem CCS in the vehicle.</li> </ul>	
RST	Rules not retained in TSIs	<p><u>4.7.1.2-Brake discs:</u></p> <p>La dimostrazione della conformità per la resistenza meccanica e le caratteristiche termiche dei dischi dei freni deve essere conforme alla specifica di cui all'appendice J-1, indice 90bis. Nell'Appendice J-1 in aggiunta il punto 6.2.3.7 l'indice 90bis Documento n. EN 14535-3: 2016</p>	<p>The national rule relates to design of brake discs.</p> <p><b>NSA Italy justification:</b></p> <p>NSA Italy indicates that the TSI Clause referring to EN14198 clause 5.4 is mandatory only for vehicle in general operation. Same requirements should be made mandatory for RST not in general operation when they have brake disk/brake pad. NSA Italy justify the need to have the national rules as brake disk is a safety critical component and consider that TSI LOC&amp;PAS has a deficiency on this topic.</p>	Not accepted, should be repealed



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			<p><b>Agency examination</b></p> <p>TSIs set out functional requirements, ENs to evaluate discs, pads, and blocks are in general product standards. During the drafting process of the TSIs, it was concluded not to have specific rules under Interoperability Directive. Therefore, national rules relating to these parameters should not be allowed because they would represent unnecessary technical barriers...</p> <p>Regarding UIC brake, in addition, TSI clause 4.2.4.3 of TSI LOC&amp;PAS refers to clause 5.4 of EN 14198 :2016 where brake discs are covered by clause 5.4.6.9.3.</p>	
RST	Rules not retained in TSIs	<p><u>4.7.1.3-Brake pads</u></p> <p>I portasuole / portaceppi del freno devono essere dotati di dispositivi speciali per evitare la perdita lungo la linea ferroviaria delle guarnizioni e/o ceppi del freno. Le guarnizioni dei freni devono essere conformi alla scheda UIC 541-3, per le categorie in essa previste. Per le categorie di guarnizioni del freno non previste, le prove devono essere condotte secondo i principi della scheda UIC 541-3 con le condizioni di carico previste per l'applicazione specifica.</p>	<p>The national rule relates to design of brake pads.</p> <p><b>NSA Italy justification:</b></p> <p>NSA IT indicates that the TSI Clause referring to EN14198 clause 5.4 is mandatory only for vehicle in general operation. Same requirements should be made mandatory for Rolling Stock not in general operation when they have brake disk/brake pad.</p> <p>NSA Italy justify the need to have the national rules as brake pad is a safety critical component and consider that TSI LOC&amp;PAS has a deficiency on this topic.</p> <p><b>Agency examination</b></p> <p>TSIs set out functional requirements, ENs to evaluate discs, pads, and blocks are in general product standards. During the drafting process of the TSIs, it was concluded not to have specific rules under Interoperability Directive.</p>	Not accepted, should be repealed

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			<p>Therefore, national rules relating to these parameters should not be allowed because they would represent unnecessary technical barriers...</p> <p>Regarding UIC brake, in addition, TSI clause 4.2.4.3 of TSI LOC&amp;PAS refers to clause 5.4 of EN 14198 :2016 where brake pads are covered by clause 5.4.6.9.4.</p>	
RST	Acceptable means of compliance related to other rules not covered above (e.g potential TSI deficiency)	<p><u>7.2.1-Vehicle marking :</u> EN 15877-2</p>	<p>The requirement relates to marking of vehicles in the scope of LOC&amp;PAS TSI1302/2014.</p> <p><b>NSA Italy justification:</b></p> <p>The NRD requirements complete the requirements already covered by the Loc &amp; Pass TSI and regulate dangerous events otherwise not covered by technical standards. Within the EN15877-2 standard, a whole series of registrations necessary for railway staff for train composition are regulated, furthermore it provides a series of registrations necessary for safety such as, for example, registrations relating to the braking system, type indication brake in the braking status indicators and identification of isolation devices.</p> <p>For this EN15877-2 in Italy is required as mandatory for vehicle authorization and the same it should be at European level. We have already asked in the specific WP revision TSI to have this standard as mandatory.</p> <p>Following exchanges with the Agency, NSA Italy propose to make the requirement a recommendation (not mandatory). NSA Italy will introduce a change request to</p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			<p>review the requirement related to markings in TSI LOC&amp;PAS.</p> <p><b>Agency examination:</b></p> <p>TSI LOC&amp;PAS mandates only the marking of lifting points in clause 4.2.2.6.</p> <p>At vehicle authorisation level, the mandatory requirements are the one defined in TSIs other marking requirements are covered by EN 15877-2 should be covered through contractual arrangement between Railway Undertaking and manufacturer of vehicles. The rule is related to operation as the vehicle marking is used to provide information for railway staff useable during operation.</p>	
RST	Acceptable means of compliance related to other rules not covered above (e.g potential TSI deficiency)	<p><u>7.2.1-Vehicle marking:</u> EN 15877-1</p>	<p>The requirement relates to marking of vehicles in the scope of WAG TSI 321/2013.</p> <p><b>NSA Italy justification:</b></p> <p>The NRD requirements complete the requirements already covered by the WAG TSI and regulate hazardous events otherwise not covered by technical standards. Within the EN15877-1 standard, a whole series of registrations necessary for railway staff for train composition are regulated, furthermore it provides a series of registrations necessary for safety such as, for example, registrations relating to the braking system, type indication brake in the braking status indicators and identification of isolation devices.</p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			<p>For this EN15877-1 in Italy is required as mandatory for vehicle authorization and the same it should be at European level. We have already asked in the specific WP revision TSI to have this standard as mandatory.</p> <p>Following exchanges with the Agency, NSA Italy propose to make the requirement a recommendation (not mandatory). NSA Italy will introduce a change request to review the requirement related to markings in TSI WAG.</p> <p><b>Agency examination:</b></p> <p>TSI WAG mandates the marking for lifting points (4.2.2.2 of TSI WAG). EN 15877-1 is already mandated for wagon compliant with clause 7.1.2 of TSI WAG.</p> <p>At vehicle authorisation level, the mandatory requirements are the one defined in TSI other marking requirements should be covered through contractual arrangement between Railway Undertaking and manufacturer of vehicles.</p>	
RST	Other rules not covered above (e.g potential TSI deficiency)	<p><u>7.2.4-Brackets :</u></p> <p>I mezzi di trazione (si intendono le unità valutate in composizione bloccata o predefinita e le locomotive valutate per l'esercizio generale, così come previsto dalla STI Loc&amp;Pas) devono essere dotati in ciascuna estremità di due porta segnali dove riporre la bandiera di cui al successivo parametro 9.5.3.</p>	<p>The national rule relates to clause 4.2.7.1.3 of TSI LOC&amp;PAS 1302/2014.</p> <p><b>NSA Italy justification:</b></p> <p>The LOC&amp;PAS TSI provides, in case of portable lamps, only for the presence of tail lamps in compliance with Appendix E of TSI Wag, while the NRD also provides for the obligation to equip itself with attachment devices for rear-end signal and for the flag, as they are necessary to</p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			<p>manage the recovery conditions in the event of a train completely without power.</p> <p>The requirement is justified in relation to national safety rule where Railway Undertakings have also to use flags for alerting in case of emergency situation.</p> <p><b>Agency examination:</b></p> <p>TSI LOC&amp;PAS clause 4.2.7.1.3 cover already the functional requirement regarding train visibility.</p> <p>Regarding attachment devices for flag, it is more operational and is not to be covered by vehicle authorisation</p> <p>See details requirements in:</p> <ul style="list-style-type: none"> <li>- TSI LOC&amp;PAS 4.2.7.1.3 Tail lights,</li> <li>- TSI OPE 4.2.2.1 Train visibility.</li> </ul>	
RST	Other rules not covered above (e.g potential TSI deficiency)	<p><u>8.2.2.1-Pantograph overall design :</u></p> <ul style="list-style-type: none"> <li>• Ciascuna unità di trazione e ciascuna composizione bloccata devono avere un pantografo di soccorso per ciascuno dei sistemi di alimentazione per i quali l'unità o la composizione è stata progettata. Il requisito può essere soddisfatto tramite installazione di un pantografo dedicato oppure tramite una configurazione ridondata dei pantografi. È ammesso che il pantografo di soccorso sia costituito da un pantografo normalmente utilizzato in esercizio sotto un differente sistema di alimentazione, purché compatibile con la linea di contatto. In alternativa al</li> </ul>	<p>The national rules relate to clause 4.2.8.2.9 of LOC&amp;PAS TSI 1302/2014.</p> <p><b>NSA Italy justification:</b></p> <p>Even if the requirements reported in this parameter appear to be aspects related to rescue and additional requirements in § 4.2.8.2.9 of the TSI, we consider them important requirements for pantograph design and therefore just that they are reported in this parameter.</p> <p>In particular, for the first requirement it should be noted that, in the event of a faulty pantograph, another rescue pantograph must be compatible with the indications of</p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>pantografo di soccorso le unità di trazione bimodali e le composizioni bloccate possono utilizzare la trazione diesel.</p> <ul style="list-style-type: none"> <li>• In caso di funzionamento di emergenza, è consentito un funzionamento limitato del veicolo (riduzione di potenza, riduzione di velocità, ecc.).</li> <li>• I mezzi politensione devono essere equipaggiati con un dispositivo automatico di controllo e di protezione della congruenza fra pantografo utilizzato e tensione della catenaria.</li> </ul>	<p>the Infrastructure Register "pantograph" and respect the interface requirements of the ENE TSI OPE / TSI.</p> <p>For the second requirement the rescue pantograph should be able to function even for different catenaries and voltages different from those allowed but should comply with the contact-pantograph line interface requirements indicated in the Infrastructure Register so as not to degrade the security features and interoperability of the Energy and Loc &amp; Pas subsystems. The types of headband allowed are binding, not modifiable, depending on the member state.</p> <p>As for the third requirement, it actually appears to be covered by § 4.2.8.2.9.8 of the TSI and therefore can be eliminated.</p> <p>In addition, it points out that the rule derives from an operational condition of the main Infrastructure Manager of Italy (RFI S.p.A.), if it is not put in the NRD the manufacturer does not become aware of it until the moment in which it must not begin to circulate.</p> <p>Removing this rule implies a significant degradation of the performance of the railway system. NSA Italy prefers to maintain it.</p> <p><b>Agency examination:</b></p> <p>The national rules require to have a rescue pantograph in case of failure. Such rules are related to operational aspect and is not considered to be harmonised at European level. Such type of requirements could be managed between a</p>	

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status																				
			railway undertaking and manufacturer through customer specification.																					
RST	Acceptable means of compliance regarding other rules not covered above (e.g. potential TSI deficiency)	<p>8.2.2.3-Pantograph contact force (including static contact force, dynamic behaviour and aerodynamic effects)</p> <p>Specifica Tecnica RFI cod. RFI-DTC/DNS/EE.ST TE 74 D Rev. D Febbraio 2008 (per quanto riguarda i dettagli operativi su come fare le prove in linea per la caratterizzazione del pantografo e come trattare i dati statistici delle misure)</p>	<p>The requirement relates to clause 4.2.8.2.9, 5.3.10, 6.1.3.7 and 6.2.3.20 of LOC&amp;PAS TSI 1302/2014.</p> <p><b>NSA Italy justification:</b></p> <p>NSA Italy proposed the requirement as a recommendation (not mandatory) pending that the specification is aligned with TSI requirements, its content should provide guidance for applicant on track tests on validation of pantographs.</p> <p><b>Agency examination:</b></p> <p>The requirements applicable to pantograph at Interoperability Constituent and Subsystem level including the testing are covered by LOC&amp;PAS TSI clauses 4.2.8.2.9, 5.3.10, 6.1.3.7 and 6.2.3.20 where verification and validation are also covered and refers to following standards to be applied which include tests:</p> <table border="1" data-bbox="1267 1074 1962 1347"> <thead> <tr> <th colspan="2">TSI</th> <th colspan="3">Normative document</th> </tr> <tr> <th>Index No</th> <th>Characteristics to be assessed</th> <th>Point</th> <th>Document No</th> <th>Mandatory points</th> </tr> </thead> <tbody> <tr> <td>77</td> <td>Pantograph – static contact force</td> <td>6.1.3.7</td> <td>EN 50367:2012 and EN 50367:2012/AC:2013</td> <td>7.2</td> </tr> <tr> <td>78</td> <td>Pantograph – limit value</td> <td>6.1.3.7</td> <td>EN 50119:2009 and EN 50119:2009/A1:2013</td> <td>5.1.2</td> </tr> </tbody> </table>	TSI		Normative document			Index No	Characteristics to be assessed	Point	Document No	Mandatory points	77	Pantograph – static contact force	6.1.3.7	EN 50367:2012 and EN 50367:2012/AC:2013	7.2	78	Pantograph – limit value	6.1.3.7	EN 50119:2009 and EN 50119:2009/A1:2013	5.1.2	Not accepted, should be modified
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			79	Pantograph – verification method	6.1.3.7	EN 50206-1:2010	6.3.1	
80	Pantograph – dynamic behaviour	6.1.3.7	EN 50318:2002	relevant cl.				
81	Pantograph – interaction characteristics	6.1.3.7	EN 50317:2012 and EN 50317:2012/AC:2012	relevant cl.				
The technical specification RFI cod. RFI-DTC/DNS/EE.ST TE 74 D Rev. D is from 2008 is referring to EN standards and TSIs outdated.							The requirement can be accepted when it will indicate clearly which relevant clauses of the document apply for operational dispositions to be applied for on track tests.	
RST	Other rules related to compatibility with network / legacy system	<p><u>9.3.4-Driver supervision:</u> Dispositivo E-VIG: vedi il campo 'Description'.</p> <p>Sulla rete gestita da RFI S.p.A., nei casi nei quali le autorità competenti in materia di salute e sicurezza sul lavoro abbiano evidenziato problematiche connesse all'utilizzo del sistema di sicurezza automatico di vigilanza a bordo dei veicoli, è ammessa l'installazione di un dispositivo chiamato "E-VIG" che consente di disattivare la funzione vigilante mantenendo attiva la funzione del controllo automatico della presenza dell'agente di condotta all'atto della partenza, in conformità a quanto previsto dalla Direttiva del Ministero dei Trasporti DG 4/Div5 0044725 del 20 ottobre 2006.</p>	<p>The national rule relates to clause 4.2.9.3.1 of the LOC&amp;PAS TSI 1302/2014.</p> <p><b>NSA Italy justification:</b></p> <p>NSA Italy is going to contact Italian Ministry regarding Health and Safety to verify the necessity to maintain this national rule because the competence of this requirement is not under NSA Italy.</p> <p><b>Agency examination:</b></p> <p>The rule is not clear, it refers to document “<i>direttiva del Ministero dei Trasporti DG 4/Div5 0044725 del 20 ottobre 2006</i>” that requires application of rules for a transition</p>					Not accepted, should be modified



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		<p>Ai sensi della medesima Direttiva, tale requisito si applica al periodo di tempo strettamente necessario alle Imprese ferroviarie ad individuare soluzioni tecnologiche atte a risolvere le suddette problematiche. Venuta meno tale necessità, gli standard internazionali dovranno essere integralmente rispettati.</p> <p>Quando utilizzato il dispositivo E-VIG l'attivazione deve essere registrata nel dispositivo di registrazione di cui al punto 9.6.</p>	<p>period...does the transition period ended as TSIs covers the topic.</p> <p>The following rule is not clear, what means: <i>"the installation of a device called "E-VIG" which allows to deactivate the supervisory function while maintaining the automatic control function for the presence of the driver at the time of departure"</i></p> <p>We remind that the TSI 1302/2014 clause 4.2.9.3.1 (1) indicates <i>"The driver's cab shall be equipped with a means to monitor the driver's activity, and to automatically stop the train when a lack of driver's activity is detected. This gives the on-board technical means for the railway undertaking to fulfil the requirement of clause 4.2.2.9 of TSI OPE"</i>.</p> <p>Note 5 of clause 4.2.9.3.1 indicates: <i>"it is allowed to have the function described in this clause fulfilled by the CCS Subsystem."</i></p>	
RST	Other rules related to compatibility with network / legacy system	<p><u>9.3.4-Driver supervision:</u></p> <p>Requisiti ESTB_008, ESTB_009, ESTB_010, ESTB_011, ESTB_014, ESTB_015, ESTB_017, ESTB_020, ESTB_021, ESTB_022, ESTB_023, ESTB_024: per il dettaglio vedi il campo 'Description'.</p> <ul style="list-style-type: none"> <li>ESTB_008: deve essere assicurata al momento della perdita di condizione di treno fermo la funzionalità "Controllo Atto Partenza". A tal fine si precisa che:</li> </ul>	<p>The national rules relate to clause 4.2.9.3.1 of LOC&amp;PAS TSI.</p> <p><b>NSA Italy justification:</b></p> <p>The function is needed when standstill is lost (traction by the driver or by accident). Requirements ESTB_008 to ESTB_024 apply also to driver vigilance in the scope of clause 4.2.9.3.1.</p>	Not accepted, should be repealed

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		<ul style="list-style-type: none"> <li>○ gli organi utilizzabili per tale funzione sono esclusivamente pulsante di vigilanza e pedale;</li> <li>○ il termine “assenza di attività del macchinista” in fase di perdita della condizione di treno fermo deve essere inteso come assenza di variazioni sugli organi deputati al controllo atto partenza;</li> <li>○ quando è persa la condizione di treno fermo e nessuna azione di vigilanza è svolta dall’agente di condotta, scaduti 5s il sistema deve rilevare l’“assenza di attività del macchinista”;</li> <li>○ prima di rilevare l’“assenza di attività del macchinista”, deve essere fornito un avviso all’agente di condotta.</li> <li>● ESTB_009: in caso di mancato riconoscimento da parte dell’agente di condotta il dispositivo Vigilante deve comandare la “disinserzione della trazione” (oltre all’applicazione della frenatura di urgenza).</li> <li>● ESTB_010: la mancanza dell’alimentazione al dispositivo vigilante deve determinare la frenatura d’urgenza.</li> <li>● ESTB_011: il dispositivo vigilante deve essere progettato in modo da comandare la disinserzione della trazione e la frenatura di urgenza se cessa di essere operativo a causa di guasti tecnici.</li> <li>● ESTB_014: il riarmo a seguito di intervento del dispositivo vigilante deve avvenire a treno fermo, oppure in alternativa anche in corsa purché si</li> </ul>	<p><b>Agency examination:</b></p> <p>TSI LOC&amp;PAS clause 4.2.9.3.1 is clear: "<i>The driver's activity shall be monitored when the train is in driving configuration and is moving (criterion for movement detection is at a low speed threshold); this monitoring shall be done by controlling the action of the driver on recognised driver interfaces such as dedicated devices (e.g. pedal, push buttons, sensitive touches...) and/or recognised driver interfaces with the Train Control and Monitoring System.</i>" Whereas the requirement here relates to control of the train at standstill when train is departing. Such requirements is a technical barrier to TSI compliant vehicle. Such function could be also covered by operational means under the Safety Management System of the Railway Undertaking.</p>	

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		<p>garantisca che il riconoscimento non sia dovuto a manovra accidentale.</p> <ul style="list-style-type: none"> <li>• ESTB_015: il vigilante deve inserirsi in automatico all’attivazione delle apparecchiature del veicolo necessarie per poter circolare oppure al completamento delle operazioni propedeutiche alla partenza.</li> <li>• ESTB_017: le temporizzazioni del vigilante devono poter essere “resettate” solo utilizzando gli organi di interfaccia del banco di manovra abilitato.</li> <li>• ESTB_020: quando il dispositivo vigilante non è attivo e funzionante (per guasto) la frenatura d’urgenza deve essere applicata.</li> <li>• ESTB_021: l’interfaccia con il freno del dispositivo vigilante deve essere realizzata mediante un dispositivo avente caratteristiche di ridondanza, ad esempio dotato di due elettrovalvole “indipendenti” in modo che la disalimentazione di almeno una delle due provochi la scarica della condotta generale. Qualora la funzione controllo atto partenza sia svolta da altro sistema presente a bordo, per l’interfaccia con il freno del dispositivo vigilante è ammessa anche la soluzione senza caratteristiche di ridondanza (ossia con una sola elettrovalvola).</li> <li>• ESTB_022: qualsiasi avaria al dispositivo di interfaccia con il sistema frenante deve provocare lo scarico della condotta generale.</li> <li>• ESTB_023: l’interfaccia con il sistema frenante del sistema che svolge la funzione di cui al requisito</li> </ul>		

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>ESTB_008, deve garantire che il tempo necessario per ridurre la pressione in condotta generale (misurata in corrispondenza del dispositivo di interfaccia stesso) da 5 a 3,5 bar non superi i 450 ms</p> <ul style="list-style-type: none"> <li>ESTB_024: il soddisfacimento del requisito ESTB_023 deve essere verificato ad ogni accensione del sistema che svolge la funzione di cui al requisito ESTB_008.</li> </ul>		
RST	Other rules not covered above (e.g potential TSI deficiency)	<p><u>9.5.3-On-board tools and portable equipment:</u></p> <p>STI Loc&amp;Pas (1302/2014) §4.2.9.4</p> <p>Ad integrazione di quanto previsto nel paragrafo 4.2.9.4 della STI Loc&amp;Pas, il vano che deve essere presente in cabina di guida o nelle sue prossimità deve essere tale da poter alloggiare anche le seguenti attrezzature previste dal Decreto ANSF n. 4/2012 (Allegato B Punto 4.31):</p> <ul style="list-style-type: none"> <li>- Torcia di segnalamento a fiamma rossa;</li> <li>- Bandiera rossa con asta.</li> </ul>	<p>The national rules relate to clause 4.2.9.4 of LOC&amp;PAS TSI.</p> <p><b>NSA Italy justification:</b></p> <p>With regard to the red flame signal torch and the flag with rod, they are prescribed by point 4.31 of Annex B to ANSF Decree 4/20212.</p> <p>The red flag with rod is foreseen by the Regulation for the Italian railway operation, notified as National Safety Rule, and therefore it is necessary that it is among the on-board tools of the vehicles.</p> <p>NSA Italy does not agree with the comment of ERA that TSI clause 4.2.9.4 requires just the availability of space in or near the driver’s cab for the tools and portable equipment without specifying the list.</p> <p>The text of clause 4.2.9.4 is:</p> <p><i>“(1) A space shall be available in or near the driver’s cab to store the following equipment, in case they are needed by the driver in emergency situation:</i></p> <p>— <i>Hand-lamp with red and white light</i></p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			<p>— <i>Short circuiting equipment for track-circuits</i></p> <p>— <i>Scotches, if the parking brake performance is not sufficient depending on track gradient (see clause 4.2.4.5.5 ‘Parking brake’).</i></p> <p>— <i>A fire extinguisher (to be located in the cab; see also clause 4.2.10.3.1).</i></p> <p>— <i>On manned traction units of freight trains: a self-rescue device, as specified in the SRT TSI (see SRT TSI clause 4.7.1).”</i></p> <p>So, it seems it is enough to have in the driver’s cab or near just the tools and portable equipment listed above but for Italy it isn’t enough.</p> <p>As the above listed tools and equipment is to be verified at vehicle authorisation also the additional national equipment needs to be verified at vehicle authorisation.</p> <p><b>Agency examination:</b></p> <p>The national safety rule “Decreto ANSF n. 4/2012 (Allegato B Punto 4.31)” mandating the onboard tools should have been amended following ERA assessment to functional requirement without referring to a specific tool/equipment’s.</p> <p>Such national rule is not to be verified at vehicle authorisation but is more related to operation and should be covered through Safety Management System of Railway Undertaking within interface procedure with Infrastructure Manager. In addition, as mentioned in TSI</p>	

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			<p>LOC&amp;PAS application guide it is reminded that clause 4.2.9.4 of LOC&amp;PAS requires the availability of space in or near the driver's cab for the tools and portables equipment, the presence of the tools themselves is not required.</p>	
RST	Other rules related to compatibility with network / legacy system	<p><u>9.6-Recording device:</u> ESTB_025: Il "Sistema Tecnologico di Bordo - Registratore Cronologico di Eventi di Condotta su supporto informatico" deve rispettare i requisiti di cui al documento cod. RFI DTC CSI SR OR 10 002 B del 11/02/2008.</p>	<p>The national rule refers to clause 4.2.9.6 of LOC&amp;PAS TSI.</p> <p><b>NSA Italy justification:</b></p> <p>The rule ESTB_025 contains lists of elements to be recorded and requirements on the onboard recording device.</p> <p>NSA IT indicated that:</p> <ul style="list-style-type: none"> <li>Concerning the list of elements to be recorded, a National safety rule will be notified in accordance with Appendix I of TSI OPE.</li> <li>Regarding the design of recording device, some rules might be in contradiction with EN62625-1. The national rule ESTB_025 will be reviewed together with TSI clause 4.2.9.6 and EN62625-1</li> </ul> <p><b>Agency examination:</b></p> <p>As referred in clause 4.2.9.6 of LOC&amp;PAS TSI the list of elements to be recorded is covered by OPE TSI clause 4.2.3.5 that contains in appendix I an open point on this subject.</p> <p>Regarding the design of recording device it is fully covered by the EN 62625-1 referred by TSI clause.</p>	Not accepted, should be modified

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
CCS	Rules related to GSM-R	<p><u>12.1.2.2-Other GSM-R requirements</u></p> <p>Requisiti EGSMR_001, EGSMR_002, EGSMR_003, EGSMR_004, EGSMR_005, EGSMR_006, EGSMR_007</p> <p><u>Description:</u></p> <ul style="list-style-type: none"> <li>EGSMR_001: Durante la fase di accensione dell'apparato radio di bordo, l'apparato deve verificare in rete lo stato di validità di eventuali numeri funzionali temporanei salvati in SIM card. Tali numeri funzionali devono essere mantenuti e visualizzati sul MMI dell'apparato radio di bordo solo nel caso in cui siano ancora attivi in rete.</li> <li>EGSMR_002: Ad integrazione del requisito EIRENE FRS 8.0.0 § 5.2.3.31, in caso di ricezione sull'apparato radio di bordo del messaggio di avvenuta deregistrazione forzata del proprio numero treno, è richiesta una conferma da parte dell'agente di condotta affinché la segnalazione visiva venga rimossa dal MMI dell'apparato radio di bordo.</li> <li>EGSMR_003: Se l'apparato radio di bordo implementa la funzione di acquisizione del numero treno da altre apparecchiature di bordo, la registrazione e la deregistrazione in rete di tale numero può essere completata solo a seguito di conferma da parte dell'agente di condotta.</li> <li>EGSMR_004: Deve essere presente un pulsante di colore rosso e protetto contro pressioni accidentali per l'invio della chiamata di emergenza (REC). Se è implementato l'invio della chiamata di emergenza</li> </ul>	<p>Some national requirements are not accepted because the outcome of the discussion during the EECT Radio has led to either rejecting or classifying as an enhancement the corresponding Change Requests.</p> <p><b>NSA Italy justification:</b></p> <p>All the rules classified as EGSMR_... are considered necessary (the motivation of the position is included in the respective Change Requests).</p> <ul style="list-style-type: none"> <li>EGSM-R_001: At every switch-on the Cab radio shall verify whether the possible temporary functional numbers stored in the SIM card are also registered on network side. In case they are, the functional numbers shall be kept, and the train number shall be displayed on Cab radio MMI.</li> <li>EGSM-R_002: In addition to EIRENE FRS 7.4.0 §5.2.3.31 requirement, a confirmation by the driver shall be required before the visual notification displayed when the registered train number has been overridden by another driver is removed from Cab radio MMI.</li> <li>EGSM-R_003: If the Cab radio supports the train number acquisition function from other on-train systems, a confirmation by the driver is required before functional numbers registration and deregistration procedures are performed.</li> <li>EGSM-R_004: The Cab radio shall have a red button, protected against accidental use, for railway emergency call activation. If a menu option for railway</li> </ul>	Not accepted, should be modified

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>anche tramite opzioni da menù, tale funzionalità deve richiedere preventiva conferma da parte dell'agente di condotta.</p> <ul style="list-style-type: none"> <li>• EGSMR_005: L'apparato radio di bordo deve essere in grado di fornire le seguenti informazioni al Registratore Cronologico degli Eventi di Condotta: <ul style="list-style-type: none"> <li>• attivazione e termine della chiamata di emergenza,</li> <li>• ricezione e termine chiamata di emergenza,</li> <li>• invio della "chiamata di allarme Driver Safety Device (DSD)" da parte dell'apparato radio di bordo.</li> </ul> </li> <li>• EGSMR_006: L'apparato radio di bordo deve: <ul style="list-style-type: none"> <li>• essere dotato di interfaccia in grado di acquisire l'informazione di "mancato riarmo freno" proveniente dal sistema di segnalamento,</li> <li>• essere dotato di interfaccia in grado di acquisire l'informazione di "mancata vigilanza" (compreso il "controllo atto partenza") proveniente dal sistema che realizza la funzione "Vigilante",</li> <li>• inviare, alla ricezione delle informazioni di cui sopra, la "chiamata di allarme Driver Safety Device (DSD)".</li> </ul> <p>- È ammesso in via alternativa che la funzione di invio "chiamata di allarme Driver Safety Device (DSD)" possa essere effettuata da altro dispositivo presente sul veicolo.</p> </li> <li>• EGSMR_007: L'apparato radio di bordo deve trasferire contestualmente alla "chiamata di allarme</li> </ul>	<p>emergency call activation is also implemented, confirmation by the driver is required before the emergency call is set up</p> <ul style="list-style-type: none"> <li>• EGSM-R_005: The Cab radio shall be able to provide the following information to the train borne recorder: <ul style="list-style-type: none"> <li>• activation and termination of a Railway emergency call;</li> <li>• receipt and termination of a Railway emergency call;</li> <li>• driver safety device alarm message sent by the Cab radio</li> </ul> </li> <li>• EGSM-R_006: The Cab radio shall: <ul style="list-style-type: none"> <li>• be provided with an interface to receive the information provided by the on-board signalling system when the timer for deactivation of emergency brake is expired.</li> <li>• be provided with an interface to receive the information of "lack of driver's activity" from the automatic vigilance device;</li> <li>• and, when receiving the information above, the Driver Safety Device (DSD)" alarm call. It is admitted, alternatively, that another on-board device than the Cab radio is capable to transmit the driver safety device alarm call to the network. <ul style="list-style-type: none"> <li>○ The Cab radio shall transmit, jointly to the driver safety device alarm, the GPS and on-board odometry location information, according to the "Interface Requirements</li> </ul> </li> </ul> </li> </ul>	



Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>DSD” le informazioni di localizzazione del veicolo basate su GPS ed odometria di bordo in conformità alla specifica “Interface Requirements Specification enhanced Location Dependent Addressing” (rev. 15-12-2002). È ammesso in via alternativa che le informazioni di localizzazione del veicolo siano trasferite con strumenti diversi da quello sopra indicato purché siano garantite prestazioni analoghe allo standard di cui sopra (accuratezza e tempestività).</p>	<p>Specification enhanced Location Dependent Addressing” (version 15-12-2002).</p> <ul style="list-style-type: none"> <li>○ It is also admitted, as an alternative, that the information to locate the vehicle are transmitted by other on-board devices than the one mentioned above, provided that they guarantee same performances as the standard above (accuracy and timeliness).</li> </ul> <ul style="list-style-type: none"> <li>• EGSM-R_007: The Cab radio shall transmit, jointly to the driver safety device alarm, the GPS and on-board odometry location information, according to the “Interface Requirements Specification enhanced Location Dependent Addressing” (version 15-12-2002).</li> </ul> <p>It is also admitted, as an alternative, that the information to locate the vehicle are transmitted by other on-board devices than the one mentioned above, provided that they guarantee same performances as the standard above (accuracy and timeliness).</p> <p><b>Agency examination:</b></p> <ul style="list-style-type: none"> <li>• EGSM-R_001 : rule accepted</li> <li>• EGSM-R_002: rule not accepted because CR5043 is classified as enhancement; the risk of missing the notification should be considered in the SMS of the RU.</li> </ul>	

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
			<ul style="list-style-type: none"> <li>• EGSM-R_003 : rule not accepted because CR5044 is classified as an enhancement and that no additional MI requirement is needed.</li> <li>• EGSM-R_004 : rule not accepted because CR5045 is classified an enhancement ; moreover manufacturers confirmed that the products have the button in red and protected. ERA considers nevertheless that this national requirement has no impact on the existing devices.</li> <li>• EGSM-R_005 : rule not accepted because CR5046 is classified as enhancement ; the connection to the train recorder is optional.</li> <li>• EGSM-R_006 : rule not accepted because CR5047 is classified as an enhancement for GSMR and postponed for FRMCS (to be included later). eLDA and the interface to DSD is optional, not mandatory in the TSI (not MI requirement in EIRENE specifications).</li> <li>• EGSM-R_007 : rule not accepted because CR5047 is classified as an enhancement for GSMR and postponed for FRMCS (to be included later). eLDA and the interface to DSD is optional, not mandatory in the TSI (not MI requirement in EIRENE specifications).</li> </ul>	
CCS	Rules related to ETCS and GSM-R	<p><u>12.2.1-National on-board signalling systems</u></p> <p>List of CCS Class B systems, ERA/TD/2011-11, version 3.0 (Vedi Class B system Italia)</p> <p>Requisiti ESCMT_001, EINT_001, EINT_005, EINT_006: per il dettaglio vedi il campo 'Description'.</p>	<p>The rules relate to class B. During discussion it was agreed to remove rule EINT_005, others requirement have been accepted</p> <p><b>NSA Italy justification:</b></p> <ul style="list-style-type: none"> <li>• EINT_005: The NTR will be removed once the update of the document “REQUISITI DEL SOTTOSISTEMA DI</li> </ul>	Not accepted, should be modified

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<ul style="list-style-type: none"> <li>ESCMT_001: Il sistema di protezione e controllo della marcia di classe B denominato SCMT deve implementare: <ul style="list-style-type: none"> <li>i requisiti "essenziali" identificati con attributo [E];</li> <li>una delle scelte alternative presenti nei requisiti identificati con attributo [O],</li> </ul> </li> </ul> <p>contenuti nelle specifiche di cui al Volume 0 RFI TC.SCC SR CM 01 R01 Versione A del 31/10/2016.</p> <p>Non sussiste obbligo di implementare i requisiti identificati con attributo [F]; tali requisiti, qualora presi in carico, devono essere implementati secondo i vincoli descritti dalle combinazioni riportate nel documento cod. RFI TC.PATC SR CM 03 M 96 F.</p> <p>La definizione di tali attributi è presente all'interno delle specifiche stesse.</p> <ul style="list-style-type: none"> <li>EINT_001 (requisito solo per SSB ETCS con STM Classe B Italiano - SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Il sottosistema di bordo del sistema di protezione della marcia di Classe A quando interfacciato con il sistema di Classe B, durante l'introduzione dati, deve sempre richiedere la validazione (conferma) all'AdC dell'ora utilizzata da SCMT.</li> <li>EINT_005 (requisito solo per SSB ETCS con STM Classe B Italiano - SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Il sottosistema di bordo del sistema di protezione della marcia di Classe A quando</li> </ul>	<p>BORDO SCMT PER INTEGRAZIONE CON IL SOTTOSISTEMA DI BORDO ETCS" cod. RFI TC.SCC SR CM 03 R01 rev. X" is issued (within the end of 2021), including the related requirement.</p> <ul style="list-style-type: none"> <li>EINT_006: "The NTR has been modified just adding the requested clarification note: EINT_006 (only for ETCS with OBU SCMT or OBU SSC, applicable to Baseline B3): In case of on-board Class A protection system interfaced with the on-board Class B protection system, the document ""DMI - Specification of ergonomics integration views SCMT / SSC on DMI ERTMS"" cod. RFI TC.PATC SR AV 03 M02 D shall be applied, if a solution with a DMI that integrates the Class A and Class B functions is chosen. It shall be noted that the requirements in that specification are not conflicting with the requirements of the document ERA_ERTMS_015560 (ERA specification of DMI).</li> </ul> <p>Note: the document does not export any constraint to the OBU Class A specifications "</p> <p><b>Agency examination:</b></p> <ul style="list-style-type: none"> <li>ESCMT_001: accepted, requirement for class B</li> <li>EINT_001: accepted, for Baseline 2 vehicles</li> <li>EINT_005: ANSFISA has to check if requirements shall be transferred in SCMT-ETCS integration document. The rule also concerns class B, not only class A</li> <li>EINT_006: accepted</li> </ul>	

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		<p>interfacciato con il sistema di classe B, in modalità SN, deve garantire almeno lo stesso livello di sicurezza nella supervisione del treno offerto dal sistema di classe B.</p> <ul style="list-style-type: none"> <li>EINT_006 (requisito solo per SSB ETCS con STM Classe B Italiano - SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Nel caso di sottosistema di bordo del sistema di protezione della marcia di Classe A interfacciato con il sistema di classe B, il documento "DMI – Specifica di ergonomia integrazione visualizzazioni SCMT/SSC su DMI ERTMS" cod. RFI TC.PATC SR AV 03 M02 B del 30/09/2016 deve essere preso a riferimento, tenendo conto degli aggiornamenti dell'ultima versione disponibile della specifica ERA sul DMI, qualora sia scelta la soluzione del DMI che integra le funzioni ETCS e Classe B.</li> </ul>		
CCS	Rules related to ETCS and GSM-R	<p><u>12.2.5.4-Safety requirements:</u></p> <p>Requisiti E_010, E_011: per il dettaglio vedi il campo 'Description'.</p> <p><u>Description:</u></p> <ul style="list-style-type: none"> <li>E_010 (requisito sia per SSB ETCS stand alone che per SSB ETCS con STM SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Il sottosistema di bordo del sistema di protezione della marcia di Classe A BL2 deve utilizzare nella Actual Order Area l'icona Tunnel (CENELEC DMI cod. SC9XA/Sec0403/CD(PR13460) prEN 50XX6 Parte V - punto</li> </ul>	<p>The national rules relate to ERA_ERTMS_015560. Those 2 national requirements are considered as an exported constraint for BSL3 ETCS on-board.</p> <p><b>NSA Italy justification:</b></p> <p>The NTRs (E10, E11) will be removed once the upgrade Bologna-Firenze HS line is in service</p> <p><b>Agency examination:</b></p> <p>Rules E_010, E_011 are considered as an exported constraint for Baseline 3 vehicles. NSA Italy informed that the rules should be removed as soon as line is upgraded.</p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>3.8b) quando riceve PK68 “Track Condition” da RBC con la variabile M_TRACKCOND valorizzata a ‘0000’ (*) (**).</p> <ul style="list-style-type: none"> <li>E_011 (requisito sia per SSB ETCS stand alone che per SSB ETCS con STM SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Il sottosistema di bordo del sistema di protezione della marcia di Classe A BL2 deve utilizzare per la Planning Area l'icona Tunnel (CENELEC DMI cod. SC9XA/Sec0403/CD(PR13460) prEN 50XX6 Parte V - punto 3.8b) quando riceve PK68 “Track Condition” da RBC con la variabile M_TRACKCOND valorizzata a ‘0000’ (*) (**).</li> </ul> <p>(*) Tale requisito è applicabile alla circolazione sulla sola linea AV/AC Bologna-Firenze.</p> <p>(**) In pendenza dell’implementazione del pacchetto 206 (M_VERSION = 1.1) per gestire la funzione “tunnel stopping area”, un veicolo equipaggiato con il sottosistema di bordo del sistema di protezione della marcia di Classe A BL3, non può essere autorizzato a circolare sulla linea AV/AC Bologna-Firenze.</p>		
CCS	Rules related to ETCS and GSM-R	<p><u>12.2.5.7-Other ETCS requirements (related to existing not interoperable networks):</u></p> <p>Requisito E_012: per il dettaglio vedi il campo 'Description'.</p> <p><u>Description :</u></p> <p>E_012 (requisito sia per SSB ETCS stand alone che per SSB ETCS con STM SCMT o STM SSC BL3, applicabile alla Baseline BL2_3): Il sottosistema di bordo del sistema di</p>	<p>The national rule relates to Subset 026 applicable for Baseline 3 vehicles. This rule is considered as an exported constraint from trackside; a technical mitigation (modification of CCS trackside) is possible to solve the issue.</p> <p><b>NSA Italy justification:</b></p> <p>E_012: As discussed in the ITA-ERA bilateral meetings, ITA expressed the intention to keep this NTR until the issue will be solved with a TRK reconfiguration (pk 239 which</p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>protezione della marcia di Classe A, sulle linee AV di RFI a 25 KV AC 50 Hz deve gestire il valore di M_TRACTION = 2 (che da documento ERA_ERTMS_040001 ha il significato di 25 KV AC 50 Hz conventional line attribuito alla Francia), trasmesso nel pacchetto 39, in modo equivalente al valore di M_TRACTION = 26.</p>	<p>implies a change of the system version). This is considered a low priority issue because ITA did not experience any problems with vehicles so far (the problem could occur only with some very specific French applications). In addition, ERA document ERA_ERTMS_040001 states: "Specific care has to be taken when using the variable M_TRACTION for the traction system information sent to the train through the packet 39, as defined in baseline 2: the interoperability can neither be guaranteed with on-board compliant with baseline 2 nor with on-board compliant with baseline 3", which justifies the use of an NTR for transparency sake.</p> <p>E_012 (for ETCS stand alone and for ETCS with STM SCMT or STM SSC BL3, applicable to BL2_3): the applicant for APS has to carry out a check technical compatibility of a vehicle with the network considering that the Class A protection system on RFI 25 kV AC 50 Hz lines shall transmit within the package 39 the value M_TRACTION = 2 (value that according to the document ERA_ERTMS_040001 means 25 kV AC 50 Hz conventional line France) instead of the value M_TRACTION = 26 (value that according to the document ERA_ERTMS_040001 means 25 kV AC 50 Hz Italia).</p> <p>The NTR is applicable to a vehicle equipped with a class A Baseline 2 subsystem.</p> <p>The NTR is applicable to a vehicle equipped with a class A Baseline 3 subsystem till the implementation of the packet 239 by the trackside CCS subsystem</p>	

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			<p><b>Agency examination:</b></p> <p>E_012: document ERA_ERTMS_040001 also states” In case the backward compatibility versus on-board compliant with baseline 3 is to be ensured, any existing or new trackside implementation operated with M_VERSION = 1 should use the new ETCS variable NID_TRACTION encapsulated in the ad hoc packet with M_VERSION=1.1. For existing lines where the variable M_TRACTION has been used and where it is intended to continue to operate trains that are only able to interpret the packet 39, it is possible to use both variables NID_TRACTION and M_TRACTION, encapsulated respectively in the new ad hoc packet and in packet 39.” ERA does not agree because a technical solution is possible (trackside with p239)</p>	
CCS	Rule related to ETCS and GSM-R	<p><u>12.2.5.8-Specification of condition of use where ETCS on-board does not implement all functions, interfaces and performances:</u></p> <p>Requisiti E_014_2, E_014_3, E_016, EINT_007,E_007: per il dettaglio vedi il campo 'Description'.</p> <p><u>Description:</u></p> <ul style="list-style-type: none"> <li>E_014_2 (for ETCS stand alone and for ETCS with OBU SCMT or OBU SSC, applicable to B2): the on-board Class A protection system shall implement a "permitted range" of the train data, at least for the values of maximum speed and train category (*).</li> <li>E_014_3 (or ETCS stand alone and for ETCS with OBU SCMT or OBU SSC, applicable to B2_3): with reference</li> </ul>	<p>The national requirement E_014_3 relates to document ERA_ERTMS_015560.</p> <p><b>NSA Italy justification:</b></p> <p>E_014_03: The NTR is safety related. Once the CR1379 is adopted in the TSI, the deletion of the NTR will be considered.</p> <p><b>Agency examination:</b></p> <ul style="list-style-type: none"> <li>E_014_2, E_016, EINT_007, E_007, EINT_008, E_022: accepted.</li> <li>E_014_3: not accepted because Change request 1379 already exists and is considered as an enhancement, therefore rule is not accepted for Baseline 3 vehicles.</li> </ul>	Not accepted, should be modified

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>to the document ERA_ERTMS_015560 § 11.3.9.4, the on-board Class A protection system shall configure the "operational range check" (ref. document ERA_ERTMS_015560 § 11.3.9.4) at least for the following train data:</p> <ul style="list-style-type: none"> <li>- maximum speed,</li> <li>- train category (*).</li> </ul> <p>(*) This requirement shall be met regardless the implementation of all the functionalities, interfaces and performance of the CCS TSI.</p> <ul style="list-style-type: none"> <li>• E_016 (requisito sia per SSB ETCS stand alone che per SSB ETCS con STM SCMT o STM SSC BL3, applicabile alla Baseline BL2): Il sottosistema di bordo del sistema di protezione della marcia di Classe A BL2 non deve accettare la conferma del valore blank (campo vuoto) del numero treno (*).</li> <li>• EINT_007 (only for ETCS with OBU SCMT or OBU SSC, applicable to Baseline B2): The on-board Class A protection system, when it is interfaced with the Class B system, shall make available to the Class B system the packet 44 although coming from a trackside subsystem with M_VERSION greater than the one they can be handled by the Class A system itself. (*) This requirement shall be met regardless the implementation of all the functionalities, interfaces and performance of the CCS TSI.</li> <li>• E_007 (for ETCS stand alone and for ETCS with OBU SCMT or OBU SSC, applicable to B2_3): in case of transition from Class A to a Class B train protection</li> </ul>		



Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>system which is not available or not present in the OBU, regardless of the kind of NTC interface, the on-board Class A protection system shall ensure the same behaviour foreseen in case of STM installed but not available (i.e. "STM failure"), setting the speed to zero on the transition border according to subset 035 10.1.1.1 e 10.1.1.2.</p> <ul style="list-style-type: none"> <li>• EINT_008: (only for ETCS with OBU SCMT or OBU SSC, applicable to Baseline B3): In case the STM standard interface is used, CR1338 shall be implemented.</li> <li>• E_022 (for ETCS stand alone and for ETCS with OBU SCMT or OBU SSC, applicable to B3 R2): The CR 1348 shall be implemented.</li> </ul>		
RST	Other rules not covered above (e.g potential TSI deficiency)	<p><u>13.1-Specific items to place on-board:</u></p> <p>Dispositivi ulteriori che dovrebbero essere a bordo :</p> <ul style="list-style-type: none"> <li>- dispositivo per il recupero di emergenza. Tale dispositivo, qualora non trovi locazione nella testata del veicolo e venga posizionato in una carena vicina alla testata, deve essere prelevabile da ambo i lati del veicolo;</li> <li>- megafono come previsto dal decreto gallerie DM 28/10/2005;</li> <li>- maschera di protezione per accoppiatori;</li> <li>- eventuali attrezzi speciali previsti dal Costruttore (incluso chiavi per serrature porte esterne ed apertura armadi interni).</li> </ul>	<p>The national rules relate to clause 4.2.9.4 of LOC&amp;PAS TSI.</p> <p><b>NSA Italy justification:</b></p> <p>See justification for parameter 9.5.3 9.5.3-On-board tools and portable equipment. In addition, we would like to highlight the emergency recovery device is also provided for in the LOC &amp; PAS TSI in point 4.2.2.2.4, the megaphone is provided for in Ministerial Decree 28/10/2005 in point 2.1.1 of Annex 2 part 2. While with regard to the wording "any special tools provided by the Manufacturer" it is intended to clarify the fact that if the manufacturer provides special equipment or special devices necessary for the use of the vehicle, these must necessarily be part of the mandatory on-board equipment</p>	Not accepted, should be repealed

Subsystem	Distribution of remaining rules/acceptable means of compliance	National rules and acceptable national means of compliance	Examination of national rules and acceptable means of compliance leading to a negative assessment	Agency assessment status
		<p>- -cassetta di primo soccorso come prevista dal decreto 24/01/2011 n. 19 applicazione decreto 15/07/2003 n. 388 “pronto soccorso.</p>	<p><b>Agency examination:</b> See assessment on parameter 9.5.3. In addition, the clause 4.2.9.4 of LOC&amp;PAS TSI requires the availability of space in or near the driver’s cab for the tools and portable equipment required by the TSIs; the presence of the tools themselves is not required.</p>	
RST	Other rules not covered above (e.g potential TSI deficiency)	<p><u>13.1-Specific items to place on-board:</u> Nel vano di cui al parametro 9.5.3, appositamente indicato nella cabina di guida o nelle sue prossimità, dovranno essere contenute le apposite staffe per l’immobilizzazione del convoglio (se necessarie). Tali dispositivi, qualora non trovino locazione nel vano di cui sopra e vengano posizionati in una carena, devono essere tutti prelevabili da ambo i lati del veicolo. (già citata nella STI LOC&amp;PAS come scarpa fermacarri 4.2.9.4)</p>	See assessment above.	Not accepted, should be repealed