CER position on the practical arrangement on ERTMS track side approval

CER position on the working paper v0.6 on practical arrangements for ERTMS trackside approval

CER acknowledges the last version of the working paper v0.6 on practical arrangements for trackside approval published in March 2017. We welcome the progress made, there is now foundation that should allow to finalise, after learning cases, a truly efficient and effective process for the approval, the authorisation and to enhance interoperability.

There are **3 main unsolved issues that will have to be refined in the light of** *learning cases***:**

1. doubts about "no duplication" if "the Agency shall check that the technical solutions envisaged related to the implementation of ERTMS trackside equipment are fully compliant with the relevant TSIs and fully interoperable" (Art. 19) since this is the role of the Notified Body

2. The list of documents remains excessive (Art. 19)

3. need for better clarity on who is responsible for checking that the conditions for approval and authorisation are fulfilled

It is essential that the approval process does not lead to high burden and is based on a clear process. The practical arrangements are not yet practical enough. It should be clarified in the final version of the practical arrangements that, in case of approval with conditions, the fulfilment of the conditions is to be checked and to be confirmed by the NoBo. This task would ideally be added to the TSI CCS table 6.3. The background of this is that technical compatibility is an essential requirement to be checked by the NoBo - this is not a task of the NSA.

There is **also an important open point to resolve for the definition of a process for the management of generic issues/solutions**. The "management of generic potential compatibility issues" process is addressed in the practical arrangement (Agency will collect, improve, maintain and make available the list of issues) and is a major success condition for the value of trackside approval process. The process does however not require to be part of trackside approval PA document as any stakeholder may provide information about potential compatibility issues at any time (incl. approval phase) and request ERA advice (ERA reg. Art. 30).

CER would like to highlight the need to start discussing now how specific issues in the "logs" applicable for a project can well feed experience and interoperable solutions. More than only dealing with issues, it is necessary to find a process that allows to find a rapid and relevant mitigation when a compatibility risk emerges during a project (i.e. when an issue is logged in the frame of trackside approval). When the risk is of general impact (i.e. not linked to local situation), the mitigation should become a public recommendation (and eventually lead to clarify the ERTMS specification). It is important to find a fast lane process (light CCM?) that will propagate alerts and disseminate good solutions that will support interoperability. As a starting point, the already known BCA mitigations could populate the list of issues.

About CER

The Community of European Railway and Infrastructure Companies (CER) brings together more than 70 railway undertakings, their national associations as well as infrastructure managers and vehicle leasing companies. The membership is made up of long-established bodies, new entrants and both private and public enterprises, representing 73% of the rail network length, 80% of the rail freight business and about 96% of rail passenger operations in EU, EFTA and EU accession countries. CER represents the interests of its members towards EU policy makers and transport stakeholders, advocating rail as the backbone of a competitive and sustainable transport system in Europe. For more information, visit www.cer.be or follow us via Twitter at @CER_railways.