Commission Implementing Regulation (EU) 2019/838 of 20 February 2019 on technical specifications for vessel tracking and tracing systems and repealing Regulation (EC) No 415/2007

COMMISSION IMPLEMENTING REGULATION (EU) 2019/838

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community[(1)], and in particular Article 5(1)(d), thereof,

Whereas:

(1) Technical specifications for vessel tracking and tracing systems, provided for by Commission Regulation (EC) No 415/2007[(2)], should be updated and clarified, taking into account experience gained from their application, as well as the technological progress and the updates of underlying international standards.

(2) The technical specifications for vessel tracking and tracing systems should be based on the technical principles set out in Annex II to Directive 2005/44/EC.

(3) In accordance with Article 1(2) of Directive 2005/44/EC, the technical specifications are to take due account of the work carried out by international organisations. Continuity is to be ensured with other modal traffic management services, in particular maritime vessel traffic management and information services.

(4) In order to improve efficiency of transport by inland waterways, the technical specifications should be extended to include provisions related to Application Specific Messages for vessel tracking and tracing systems.

(5) In order to improve safety of navigation, the technical specifications for vessel tracking and tracing systems should be extended to include provisions related to Aids to Navigation in inland navigation.

(6) This Regulation should be without prejudice to the provisions of Directive (EU) 2016/1148 of the European Parliament and of the Council[(3)] concerning the measures for a high common level of security of network and information systems across the Union.

(7) Pursuant to Article 12(2) of Directive 2005/44/EC technical specifications should enter into force immediately after their publication and Member States should be required to apply those specifications not later than 12 months after their entry into force.

(8) Regulation (EC) No 415/2007 should therefore be repealed.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 11 of Directive 2005/44/EC,

HAS ADOPTED THIS REGULATION:

Article 1

The technical specifications for vessel tracking and tracing systems in inland waterway transport shall be as set out in the Annex to this Regulation.

Article 2

Regulation (EC) No 415/2007 is repealed. References to the repealed Regulation shall be construed as references to this Regulation.

Article 3

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 13 June 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 February 2019.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/838. (See end of Document for details)*

ANNEX

Standard Vessel Tracking and Tracing for Inland Navigation

1. GENERAL PROVISIONS

1.1. Introduction

The technical specifications for Vessel Tracking and Tracing (VTT) systems is based on the work carried out in this field by relevant international organizations, namely already existing standards and technical specifications in inland navigation, maritime or other relevant areas.

Due to the application of VTT systems in mixed traffic areas including both inland and maritime navigation environments, like sea ports and coastal areas VTT systems shall be compatible with the AIS Class A mobile stations as referred to in Chapter V of the SOLAS convention.

When VTT systems provide essential services as defined in Directive (EU) 2016/1148[(4)] concerning measures for a high common level of security of network and information systems across the Union, the provisions of that Directive apply.

1.2. References

The following international agreements, recommendations, standards and guidelines are referred to in this Annex:

Document title	Organisation	Publication date
The World Association for Waterborne Transport Infrastructure (PIANC) Guidelines and Recommendations for River Information Services	PIANC	2011
International Convention of Safety Of Life At Sea (SOLAS) by the International Maritime Organisation (IMO), Chapter V — Safety of navigation, 1974, as amended	IMO	1974
International Maritime Organisation (IMO) MSC.74(69) Annex 3, ‘Recommendation on Performance Standards for a Ship-borne Automatic Identification System (AIS)’, 1998	IMO	1998
IMO Resolution A.915(22), ‘Revised Maritime Policy and Requirements for a future Global Navigation Satellite System (GNSS)’, 2002	IMO	2002

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/838. (See end of Document for details)*

IMO Resolution A.1106(29) Revised Guidelines for the Onboard Operational Use of Shipborne Automatic Identification System (AIS), 2015	IMO	2015
Recommendation by the International Telecommunication Union ITU-R M.585 ‘Assignment and use of identities in the maritime mobile service’, 2015	ITU	2015
Recommendation by the International Telecommunication Union ITU-R M.1371 ‘Technical characteristics for a universal shipborne automatic identification system using time division multiple access in the VHF maritime mobile band’	ITU	2014
International Standard by International Electrotechnical Commission (IEC) 61993-2, ‘Maritime navigation and radio communication equipment and systems — Automatic Identification system, Part 2: Class A shipborne equipment of the universal automatic identification system (AIS)’	IEC	2018
International Standard IEC 61162-Serie, ‘Maritime navigation and radio communication equipment and systems — Digital interfaces’: Part 1: Single talker and multiple listeners; Part 2: Single talker and multiple listeners, high speed transmission	IEC	Part 1: 2016 Part 2: 1998
International Standard by International Electrotechnical Commission (IEC):	IEC	2017

62287-Series, Maritime navigation and radio communication equipment and systems — Class B shipborne equipment of the automatic identification system (AIS) Part 1: Carrier-sense time division multiple access (CSTDMA) techniques; Part 2: Self-organising time division multiple access (SOTDMA) techniques		
Radio Technical Commission's for Maritime Services (RTCM) Recommended Standards for Differential GNSS (Global Navigation Satellite Systems) Service	RTCM	2010
UNECE recommendation No 28 'Codes for Types of Means of Transport'	UNECE	2010

1.3. **Definitions**

The following definitions are used in this Annex:

(a) Automatic Identification System

Automatic Identification System (AIS)

'Automatic Identification System (AIS)' means an automatic communication and identification system intended to improve the safety of navigation by assisting in the efficient operation of vessel traffic services (VTS), ship reporting, ship-to-ship and ship-to-shore operations.

Inland AIS

'Inland AIS' means AIS for the use in inland navigation and interoperable with (maritime) AIS-technically enabled by amendments and extensions to the (maritime) AIS.

Track and Trace

'Track and Trace' means the process of monitoring and recording the past and present whereabouts of a ship shipment, as it passes through different handlers on its way to its destination, through a network. Tracing refers to where the product has been, while tracking refers to where it is going next.

Track

'Track' means the path followed or to be followed between one position and another.

(b) Services

River Information Services (RIS)