Commission Regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006 (Text with EEA relevance)

COMMISSION REGULATION (EU) No 1305/2014

of 11 December 2014

on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community[(1)], and in particular Article 6(1) thereof,

Whereas:

(1) Pursuant to Article 2(e) of Directive 2008/57/EC, the rail system is subdivided into structural and functional subsystems. Each of the subsystems should be covered by a technical specification for interoperability (TSI).

(2) Commission Regulation (EC) No 62/2006[(2)] has established the technical specifications for interoperability relating to the telematics applications for freight subsystem of the trans-European rail system.

(3) The European Railway Agency (the Agency) received a mandate in 2010 to review the technical specifications for interoperability (TSI) for the 'telematics applications for freight' (TAF) subsystem in accordance with Article 6(1) of Directive 2008/57/EC.

(4) On 10 December 2013, the Agency issued a recommendation ERA/REC/106 — 2013/REC to update Annex A to Regulation (EC) No 62/2006.

(5) The TSI TAF should not require the use of specific technologies or technical solutions except where this is necessary for the interoperability of the European rail system.

(6) The rail sector representative bodies have defined the Master plan for the implementation of the TSI TAF. This Master plan indicates the stages required to move from a fragmented national approach to a seamless information exchange across the European rail system.

(7) The TSI TAF is based on the best available expert knowledge. Technological and operational developments could however make further amendments to this TSI TAF

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) No 1305/2014. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

necessary. A Change Control Management process should therefore be devised to consolidate and update the requirements of the TSI TAF.

(8) All players, especially small freight operators not members of European railway sector representative bodies, should be informed of their obligations in relation with the TSI TAF.

(9) Regulation (EC) No 62/2006 should therefore be repealed.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Committee established in accordance with Article 29(1) of Directive 2008/57/EC,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

The technical specification for interoperability (TSI) relating to the 'telematics applications for freight' subsystem of the European rail system as set out in the Annex, is hereby adopted.

Article 2

Scope

1 The TSI shall apply to the subsystem 'telematics applications' of the rail system in the European Union as defined in Section 2.6(b) of Annex II to Directive 2008/57/EC.

2 The TSI shall apply to the following networks:

a the trans-European conventional rail system network as defined in Annex I, Section 1.1 of Directive 2008/57/EC;

b the trans-European high-speed rail system network as defined in Annex I, Section 2.1 of Directive 2008/57/EC;

c other parts of the network of the rail system in the Union.

The TSI shall not apply to the cases referred to in Article 1(3) of Directive 2008/57/EC.

3 The TSI shall apply to networks with the following nominal track gauges: 1 435 mm, 1 520 mm, 1 524 mm, 1 600 mm and 1 668 mm

Article 3

Update and reporting on technical documents

The Agency shall make available via its website the Location codes and Company codes as referred to in point 4.2.11.1 (items b and d) and the technical documents referred to in Section 7.2 of the Annex and shall report to the Commission on their progress.

The Commission shall inform the Member States about this progress through the Committee established in accordance with Article 29(1) of Directive 2008/57/EC.

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Article 4

Compliance with networks in non-EU countries

With regard to railway freight services operated from or to third countries, compliance with the requirements of the TSI set out in the Annex is subject to the availability of information from entities outside the European Union unless bilateral agreements provide information exchange compatible with that TSI.

Article 5

Implementation

1 The Agency shall assess and oversee the implementation of this Regulation to determine whether the agreed objectives and deadlines have been achieved and shall provide an assessment report to the TAF steering committee referred to in Section 7.1.4 of the Annex.

2 The TAF steering committee shall assess the implementation of this Regulation, based on the assessment report provided by the Agency, and shall take the appropriate decisions for further actions to be taken by the sector.

3 Member States shall ensure that all railway undertakings, infrastructure managers operating and wagon keepers registered on their territory are informed of this Regulation and shall designate a National Contact Point for the follow-up of its implementation as described in Appendix III.

4 Member States shall send to the Commission a report on the implementation of this Regulation by 31 December 2018. This report shall be discussed in the Committee established in accordance with Article 29(1) of Directive 2008/57/EC. Where appropriate, the TSI set out in the Annex to this Regulation shall be adapted.

Article 6

Repeal

Regulation (EC) No 62/2006 is repealed from the entry into force of this Regulation.

Article 7

Entry into force and application

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

It shall apply from 1 January 2015.

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

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ANNEX

1. INTRODUCTION

1.1. **Abbreviations**

TABLE 1

Abbreviations

Abbreviation	Definition
ANSI	American National Standards Institute
CI	Common Interface
CR	Change Request
EC	European Commission
ERA	European Railway Agency (also referred to as Agency)
ERTMS	European Rail Traffic Management System
ETCS	European Train Control System
IM	Infrastructure Manager
ISO	International Organisation for Standardisation
LAN	Local Area Network
LCL	Less than Container Loads
LRU	Lead Railway Undertaking
ONC	Open Network Computing
OTIF	Intergovernmental Organisation for International Carriage by Rail
PVC	Permanent Virtual Circuit
RISC	Rail Interoperability and Safety Committee
RU	Railway Undertaking
TAF	Telematics Applications for Freight
TAP	Telematics Applications for Passengers
TCP/IP	Transmission Control Protocol/Internet Protocol
TEN	Trans European Network
TSI	Technical Specification for Interoperability
WK	Wagon Keepers
WP	Working Party organised by ERA

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1.2. Reference Documents

TABLE 2

Reference documents

Ref. No	Document Reference	Title	Last Issue
(1)	Directive 2008/57/EC	Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (OJ L 191, 18.7.2008, p. 1).	17.6.2008
(2)	TAP TSI Regulation (EU) No 454/2011	Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem 'telematics applications for passenger services' of the trans-European rail system (OJ L 123, 12.5.2011, p. 11).	5.5.2011
(3)	Directive 2012/34/EU	Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ L 343, 14.12.2012, p. 32).	21.11.2012
(4)	ERA-TD-105	TAF TSI — ANNEX D.2: APPENDIX F — TAF TSI DATA AND MESSAGE MODEL.	22.3.2013
(5)	TAF TSI Regulation No 62/2006	Commission Regulation (EC) No 62/2006 of 23 December 2005 on the technical specification for	18.1.2006