ERTMS TRACKSIDE APPROVAL

APPLICATION GUIDE FOR ERTMS TRACKSIDE APPROVAL

WHAT IS THE ERTMS TA?

The ERTMS trackside approval is part of the application file for an authorisation for placing in service trackside control-command and signalling subsystems, involving the European Train Control System (ETCS) and/or the Global System for Mobile Communications – Railway (GSM-R) equipment.

WHO MUST APPLY FOR AN ERTMS TA?

The IM or other legal entity on behalf of the IM that requests the Agency approval of the technical solutions envisaged. The applicant can be the same entity that later will request the authorisation for placing in service fixed installations. The applicant should submit its request for application before any call for tenders relating to ERTMS trackside equipment.

HOW CAN APPLICATIONS BE MADE?

All applications for an ERTMS trackside approval must be electronically submitted through the ERA IT tool One-Stop Shop (OSS).

WHEN DOES THE ERTMS TA APPLY?

The ERTMS trackside approval **applies to any call for tenders relating to ERTMS trackside equipment** which are launched after (or were launched before but have not been closed on the date of) 16 June 2019 or, 16 June 2020 or 31 October 2020 (depending on the Member States transposition).

Even though the ERTMS trackside approval is requested for the authorisation of trackside subsystems involving ERTMS, as mentioned in Directive (EU) 2016/797, other transitional provisions are defined in Article 55 of this Directive. Due to these transitional provisions, and for the cases of any ERTMS trackside equipment which was not yet subject to an approval, the Agency must be informed before authorising the placing in service.

WHAT DOES IT CONTAIN?

- Project Description
- Relevant CCS TSI
- Project plan: deliverables, milestones and deadlines
- List of functions to implement (issue log)
- Address of risk impacting interoperability
- Engineering rules and operational scenarios
- Test strategy and test plan
- Conditions for technical and operational compatibility
- Previous ERTMS trackside authorisation or opinions by an NSA
- EC Certificates and EC Declarations of conformity of the interoperability constituents
- EC Certificates and EC Declarations of verification of the trackside subsystem
- National rules related to ERTMS
- Exemption from the application of one or more TSIs
- Previous approval(s) identification

FEES AND CHARGES

The amount of fees and charges shall be the total of the following:
- the number of hours spent by Agency staff and external experts, on the processing of the application multiplied by the hourly rate of the Agency; and
- the relevant costs of the NSAs resulting from the processing of the national part of the application.

This document is for information purposes, for official information go to https://www.era.europa.eu/applicants/applications-ertms-trackside-approval_en

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APPLICATION PROCESS

INITIAL ENGAGEMENT
OPTIONAL

The initial engagement (non-mandatory but highly recommended) is performed at applicant's request, starting before any call for tender relating to ERTMS trackside equipment and when the applicant informs the Agency of its intention to submit a request for approval.

The initial engagement stage is concluded with the signature of an arrangement between the Agency and the applicant which includes:

- The scope of the application;
- Schedule, including the dates of:
  - submission of each document listed in 'What does it contain?' section;
  - updates of the issue log;
  - deadline for decision;
- The issue log

Note: ERA will not charge during this stage

SUBMISSION AND VERIFICATION COMPLETENESS

The applicant should submit all the documents listed in 'What does it contain?' section. If any of those documents was previously submitted through the one-stop shop, the applicant may identify these documents and confirm that those documents remain applicable to the project without any modification or addition. In the event of any modifications or additions to those documents the applicant must submit the updated documents.

ASSESSMENT AND DECISION

The Agency issues either a positive or negative decision within two months from the start of the assessment and decision stage on that part of the technical solutions that have not been previously covered by a positive decision for approval by the Agency.

The Agency shall issue:

- Positive decision if the previous stage ('Submission and Verification Completeness') is successfully completed and all the issues listed in the issue log have the status 'issue closed'.
- Negative decision if one or more issues listed in the Issue Log have the status 'issue closed but unacceptable' or if the assessment of the previous stage ('Submission and Verification Completeness') is finished but the file is not considered complete, relevant and/or consistent.
- Positive decision with conditions in the following cases:
  - One or more issues listed in the issue log have the status 'closed with conditions';
  - No issue has the status 'closed but it is not acceptable'.
  - It should provide an explanation of the conditions that need to be fulfilled by the applicant at a later stage and considered by the NSA and a summary of the final issues as recorded in the issue.

BOARDS OF APPEAL
IF NEEDED

The procedural rules applicable to an appeal against the Agency decision are detailed in the Commission Implementing Regulation (EU) 2018/867 laying down the rules of procedure of the Board(s) of Appeal of the European Union Agency for Railways.

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