

REGOLAMENT TAL-KUMMISSJONI (UE) Nru 1304/2014**tas-26 ta' Novembru 2014****dwar l-ispeċifikazzjoni teknika għall-interoperabbiltà relatata mas-subsistema ta' "vetturi ferro-
vjarji — storbju" li temenda d-Deċiżjoni 2008/232/KE u li tħassar id-Deċiżjoni 2011/229/UE****(Test b'rilevanza għaž-ŻEE)**

IL-KUMMISSJONI EWROPEA,

Wara li kkunsidrat it-Trattat dwar il-Funzjonament tal-Unjoni Ewropea,

Wara li kkunsidrat id-Direttiva 2008/57/KE tal-Parlament Ewropew u tal-Kunsill tas-17 ta' Ġunju 2008 dwar l-interoperabbiltà tas-sistema ferrovjarja fil-Komunità ⁽¹⁾, u b'mod partikulari l-Artikolu 6(1) tagħha,

Billi:

- (1) Skont l-Artikolu 12 tar-Regolament (KE) Nru 881/2004 tal-Parlament Ewropew u tal-Kunsill ⁽²⁾, l-Aġenzija Ferrovjarja Ewropea (minn hawn 'il quddiem imsejha "l-Aġenzija") għandha tiżgura li l-ispeċifikazzjonijiet tekniċi tal-interoperabbiltà (minn hawn 'il quddiem imsejhin it-"TSIs") jiġu adattati għall-progress tekniku, għax-xejriet tas-suq u għall-htigijiet soċjali, u għandha tippromovi lill-Kummissjoni l-emendi għat-TSIs li hija tqis li jkunu meħtieġa.
- (2) Permezz tad-Deċiżjoni C(2010)2576 tad-29 ta' April 2010, il-Kummissjoni tat mandat lill-Aġenzija biex tiżviluppa u tanalizza mill-ġdid it-TSIs bil-ghan li testendi l-ambitu tagħhom għas-sistema ferrovjarja kollha tal-Unjoni, u biex twettaq studju dwar kemm hu rilevanti li jiġu inkorporati r-reqwiziti dwar l-istorbju li japplikaw għall-vetturi ferrovjarji ta' veloċità għolja ma' dawk li japplikaw għall-vetturi ferrovjarji konvenzjonali. Mill-istudju bin-numru ta' referenza ERA/REP/13-2011/INT hareġ li għandu jkun hemm TSI waħda li tkopri kemm il-vetturi ferrovjarji konvenzjonali u kemm dawk ta' veloċità għolja. B'hekk, ir-reqwiziti dwar l-istorbju li japplikaw għall-vetturi ferrovjarji konvenzjonali għandhom jiġu inkorporati ma' dawk li japplikaw għall-vetturi ferrovjarji ta' veloċità għolja.
- (3) It-Taqsim 7.2 tal-Anness tad-Deċiżjoni tal-Kummissjoni 2011/229/UE ⁽³⁾ tipprevedi li l-Aġenzija tanalizza mill-ġdid, b'mod komprensiv, it-TSI relatata mal-istorbju u taġġornaha, u li, abbażi ta' dan, tibgħat rapport lill-Kummissjoni u, jekk ikun hemm bżonn, tibagħtilha proposta wkoll.
- (4) Fit-3 ta' Settembru 2013, l-Aġenzija bagħtet ir-rakkomandazzjoni tagħha bin-numru ta' referenza ERA/REC/07-2013/REC dwar l-adozzjoni tat-TSI relatata mal-istorbju.
- (5) Biex ikun hemm adattament għall-progress teknoloġiku u tithegġeġ il-modernizzazzjoni, għandhom jinġiebu 'l quddiem soluzzjonijiet innovattivi, u għandha tiġi aċċettata l-implimentazzjoni tagħhom skont ċerti kundizzjonijiet. Fejn tiġi proposta soluzzjoni innovattiva, il-manifattur jew ir-rappreżentant awtorizzat tiegħu għandu jiddikjara kif it-tali soluzzjoni tvarja mid-dispożizzjoni rilevanti tat-TSI jew kif din tikkomplimentaha. Is-soluzzjoni innovattiva għandha tiġi vvalutata mill-Kummissjoni. Jekk din il-valutazzjoni tkun waħda favorevoli, l-Aġenzija għandha tiżviluppa l-ispeċifikazzjonijiet operattivi u tal-interfaċċja x-xierqa tas-soluzzjoni innovattiva, kif ukoll il-metodi ta' valutazzjoni rilevanti.
- (6) F'nofs it-terminu, għandha ssir analiżi bil-ghan li jitnaqqas l-istorbju li jagħmlu l-vetturi eżistenti filwaqt li titqies il-kompetittività tas-settur ferrovjarju. Din għandha tittratta l-iktar il-vaguni tal-merkanzija u hija importanti biex tiżdied l-aċċettazzjoni tat-traffiku ferrovjarju tal-merkanzija miċ-ċittadini.
- (7) Skont l-Artikolu 17(3) tad-Direttiva 2008/57/KE, l-Istati Membri għandhom jinnotifikaw lill-Kummissjoni u lill-Istati Membri l-oħra dwar il-proċeduri għall-valutazzjoni tal-konformità u għall-verifika li għandhom jintużaw għall-kazijiet speċifiċi, kif ukoll dwar il-korpi li għandhom ir-responsabbiltà li jwettqu dawk il-proċeduri.
- (8) Dal-hin, il-vetturi ferrovjarji joperaw skont ftehimiet eżistenti ta' natura nazzjonali, bilaterali, multinazzjonali jew internazzjonali. Huwa importanti li dawk il-ftehimiet ma jtellfux il-progress attwali u futur lejn l-interoperabbiltà. Għalhekk, l-Istati Membri għandhom jinnotifikaw lill-Kummissjoni bi ftehimiet ta' dan it-tip.
- (9) Għaldaqstant, id-Deċiżjoni 2011/229/UE għandha tithassar.

⁽¹⁾ ĠUL 191, 18.7.2008, p. 1.⁽²⁾ Ir-Regolament (KE) Nru 881/2004 tal-Parlament Ewropew u tal-Kunsill tad-29 ta' April 2004 li jistabbilixxi Aġenzija Ewropea tal-Ferroviji (ir-Regolament tal-Aġenzija) (ĠUL 220, 21.6.2004, p. 3).⁽³⁾ Id-Deċiżjoni tal-Kummissjoni 2011/229/UE tal-4 ta' April 2011 dwar l-ispeċifikazzjonijiet tekniċi tal-interoperabbiltà marbuta mas-sottosistema "vetturi ferrovjarji — storbju" tas-sistema ferrovjarja konvenzjonali trans-Ewropea (ĠUL 99, 13.4.2011, p. 1).

- (10) Id-Deciżjoni tal-Kummissjoni 2008/232/KE ⁽¹⁾ għandha tigi emendata kif xieraq b'rabta mal-limiti għall-hoss tal-vettura wieqfa, mal-livelli tal-istorbju fuq ġewwa u mal-karatteristiċi tal-limiti marbutin mal-istorbju fuq barra.
- (11) Il-miżuri previsti f'dan ir-Regolament huma skont l-opinjoni tal-Kumitat stabbilit skont l-Artikolu 29(1) tad-Direttiva 2008/57/KE,

ADOTTAT DAN IR-REGOLAMENT:

Artikolu 1

Dan ir-Regolament jistabbilixxi l-ispeċifikazzjoni teknika għall-interoperabbiltà (it-TSI) relatata mas-subsistema tal-“vetturi ferrovjarji — storbju” tas-sistema ferrovjarja tal-Unjoni, kif stipulata fl-Anness.

Artikolu 2

It-TSI għandha tapplika għall-vetturi ferrovjarji li jaqgħu fil-kamp ta' applikazzjoni tar-Regolament tal-Kummissjoni (UE) Nru 1302/2014 ⁽²⁾ u tar-Regolament tal-Kummissjoni (UE) Nru 321/2013 ⁽³⁾.

Artikolu 3

Fi żmien sitt xhur mid-dhul fis-seħh ta' dan ir-Regolament, l-Istati Membri għandhom jinnotifikaw lill-Kummissjoni b'kull ftehim li fih rekwiżiti marbutin mal-limiti tal-emissjonijiet tal-istorbju, dejjem jekk dawn ma kinux ġew innotifikati lilha qabel skont id-Deciżjoni tal-Kummissjoni 2006/66/KE ⁽⁴⁾ jew id-Deciżjoni 2011/229/UE.

Il-ftehimiet li għandhom jiġu nnotifikati għandhom ikunu:

- (a) ftehimiet nazzjonali bejn l-Istati Membri u l-impriżi ferrovjarji jew il-manigers tal-infrastruttura, maqbula fuq bażi permanenti jew temporanja u meħtieġa minhabba n-natura speċifika jew lokali tas-servizz ferrovjarju mahsub;
- (b) ftehimiet bilaterali jew multilaterali bejn l-impriżi ferrovjarji, il-manigers tal-infrastruttura jew l-awtoritajiet tas-sikurezza li jrendu livelli sinifikanti ta' interoperabbiltà lokali jew reġjonali;
- (c) ftehimiet internazzjonali bejn Stat Membru wiehed jew aktar u tal-inqas pajjiż terz wiehed, jew bejn l-impriżi ferrovjarji jew il-manigers tal-infrastruttura tal-Istati Membri u tal-inqas impriża ferrovjarja wahda jew maniger tal-infrastruttura wiehed ta' pajjiż terz, li jrendu livelli sinifikanti ta' interoperabbiltà lokali jew reġjonali.

Artikolu 4

Il-proċeduri għall-valutazzjoni tal-konformità u tal-idoneità għall-użu u għall-verifika tal-KE stabbiliti fit-Taqsima 6 tal-Anness ta' dan ir-Regolament għandhom jissejsu fuq il-moduli ddefiniti fid-Deciżjoni tal-Kummissjoni 2010/713/UE ⁽⁵⁾.

Artikolu 5

1. Għall-kazijiet speċifiċi mnizzlin fit-Taqsima 7.3.2 tal-Anness, il-kundizzjonijiet li għandhom jiġu ssodisfati għall-verifika tal-interoperabbiltà skont l-Artikolu 17(2) tad-Direttiva 2008/57/KE għandhom ikunu daww ir-regoli tekniċi applikabbli li jintużaw fl-Istat Membru li jawtorizza t-tqeghid fis-servizz tas-subsistemi koperti minn dan ir-Regolament.

⁽¹⁾ Id-Deciżjoni tal-Kummissjoni 2008/232/KE tal-21 ta' Frar 2008 dwar speċifikazzjoni teknika għall-interoperabbiltà (STI) rigward is-subsistema “vetturi ferrovjarji” tas-sistema ferrovjarja tranż-Ewropea ta' veloċità għolja (ĠU L 84, 26.3.2008, p. 132).

⁽²⁾ Ir-Regolament tal-Kummissjoni (UE) Nru 1302/2014 tat-18 ta' Novembru 2014 dwar speċifikazzjoni teknika għall-interoperabbiltà fir-rigward tas-subsistema tal-“Vetturi ferrovjarji — lokomotivi u vetturi ferrovjarji għat-trasport tal-passiġġieri” tas-sistema ferrovjarja fl-Unjoni Ewropea (ara l-paġna 228 ta' dan il-Gurnal Uffiċjali).

⁽³⁾ Ir-Regolament tal-Kummissjoni (UE) Nru 321/2013 tat-13 ta' Marzu 2013 dwar l-ispeċifikazzjoni teknika għall-interoperabbiltà relatata mas-subsistema ta' “vetturi ferrovjarji — vaguni tal-merkanzija” tas-sistema ferrovjarja fl-Unjoni Ewropea u li jirrevoka d-Deciżjoni tal-Kummissjoni 2006/861/KE (ĠU L 104, 12.4.2013, p. 1).

⁽⁴⁾ Id-Deciżjoni tal-Kummissjoni 2006/66/KE tat-23 ta' Dicembru 2005 dwar l-ispeċifikazzjoni teknika tal-interoperabbiltà marbuta mas-subsistema tal-“vetturi ferrovjarji — storbju” tas-sistema ferrovjarja konvenzjonali trans-Ewropea [traduzzjoni mhix uffiċjali] (ĠU L 37, 8.2.2006, p. 1).

⁽⁵⁾ Id-Deciżjoni tal-Kummissjoni 2010/713/UE tad-9 ta' Novembru 2010 dwar moduli għall-proċeduri għal valutazzjoni ta' konformità, adattezza għall-użu, u verifika tal-KE li għandhom jintużaw fl-ispeċifikazzjonijiet tekniċi għal interoperabbiltà adottati skont id-Direttiva 2008/57/KE tal-Parlament Ewropew u tal-Kunsill (ĠU L 319, 4.12.2010, p. 1).

2. Fi żmien sitt xhur minn meta jidhol fis-seħh dan ir-Regolament, kull Stat Membru għandu jgħarraf lill-Kummissjoni u lill-Istati Membri l-oħra dwar:

- (a) ir-regoli tekniċi msemmijin fil-paragrafu 1;
- (b) il-proċeduri għall-valutazzjoni tal-konformità u għall-verifika li għandhom jitwettqu sabiex jiġu applikati r-regoli tekniċi msemmijin fil-paragrafu 1;
- (c) il-korpi mahturin skont l-Artikolu 17(3) tad-Direttiva 2008/57/KE biex iwettqu l-proċeduri għall-valutazzjoni tal-konformità u għall-verifika għall-kazijiet speċifiċi mogħtija fit-Taqsima 7.3.2 tal-Anness ta' dan ir-Regolament.

Artikolu 6

Il-konformità mal-valuri tal-azzjoni ta' inqas esponiment stipulati fl-Artikolu 3 tad-Direttiva 2003/10/KE tal-Parlament Ewropew u tal-Kunsill ⁽¹⁾ għandha tiġi żgurata permezz tal-konformità mal-livell ta' hoss ta' ġol-kabina tas-sewwieq, kif stipulat fil-punt 4.2.4 tal-Anness ta' dan ir-Regolament, u permezz ta' kundizzjonijiet operattivi xierqa li l-impriza ferrovjarja għandha tiddefinixxi.

Artikolu 7

1. Biex ikun hemm adattament għall-progress teknoloġiku, il-manifattur jew ir-rappreżentant awtorizzat tiegħu jistgħu jipproponu soluzzjonijiet innovattivi li ma jkunux konformi mal-ispeċifikazzjonijiet stipulati fl-Anness u/jew li għalihom ma jkunux jistgħux jintużaw il-metodi ta' valutazzjoni stipulati fl-Anness.

2. Is-soluzzjonijiet innovattivi jistgħu jkunu relatati mas-subsistema tal-vetturi ferrovjarji, mal-partijiet tagħha u mal-konstitwenti tal-interoperabbiltà tagħha.

3. Fejn tiġi proposta soluzzjoni innovattiva, il-manifattur jew ir-rappreżentant awtorizzat tiegħu, stabbilit fl-Unjoni, għandu jiddikjara kif it-tali soluzzjoni tvarja mid-dispożizzjonijiet rilevanti ta' din it-TSI jew kif din tikkomplimentahom, u għandu jibgħat id-differenzi lill-Kummissjoni għall-analiżi. Il-Kummissjoni tista' titlob lill-Aġenzija tagħti l-opinjoni tagħha dwar is-soluzzjoni innovattiva proposta.

4. Il-Kummissjoni għandha tagħti l-opinjoni tagħha dwar is-soluzzjoni innovattiva proposta. Jekk din l-opinjoni tkun waħda favorevoli, l-Aġenzija għandha tiżviluppa l-ispeċifikazzjonijiet operattivi u tal-interfaċċja x-xierqa u l-metodu ta' valutazzjoni, li jridu jiddaħhlu fit-TSI sabiex din is-soluzzjoni innovattiva tkun tista' tintuża, u mbagħad għandha tintegrahom fit-TSI matul il-proċess ta' reviżjoni skont l-Artikolu 6 tad-Direttiva 2008/57/KE. Jekk l-opinjoni ma tkunx waħda favorevoli, is-soluzzjoni innovattiva proposta ma għandhiex tintuża.

5. Sa ma tiġi analizzata mill-ġdid it-TSI, l-opinjoni favorevoli mogħtija mill-Kummissjoni għandha titqies bħala mezz ta' konformità aċċettabbli mar-rekwiżiti essenzjali tad-Direttiva 2008/57/KE, u għalhekk tista' tintuża għall-valutazzjoni tas-subsistema.

Artikolu 8

Id-dikjarazzjoni ta' verifika u/jew ta' konformità mat-tip ta' vettura ġdida stabbilita skont id-Deciżjoni 2011/229/UE għandha titqies li hija valida:

- sakemm iċ-ċertifikat tat-tip jew tad-disinn ikollu jiġġedded kif stipulat fid-Deciżjoni 2011/291/UE għall-kazijiet fejn tkun giet applikata dik id-Deciżjoni jew sal-31 ta' Mejju 2017 għall-kazijiet l-oħra għal-lokomottivi, l-EMUs, id-DMUs u l-kowċis,
- sat-13 ta' April 2016 għall-vaguni.

Id-dikjarazzjoni ta' verifika u/jew ta' konformità mat-tip ta' vettura ġdida stabbilita skont id-Deciżjoni 2008/232/KE għandha titqies li hija valida sakemm iċ-ċertifikat tat-tip jew tad-disinn ikollu jiġġedded kif stipulat f'din id-Deciżjoni.

⁽¹⁾ Id-Direttiva 2003/10/KE tal-Parlament Ewropew u tal-Kunsill tas-6 ta' Frar 2003 dwar il-htigiet minimi ta' saħħa u sigurtà li jirrigwardaw l-esposizzjoni ta' haddiema għal riskji li jirriżultaw minn aġenti fiżiċi (hoss) (Is-Sbatax-il Direttiva individwali skond it-tifsira ta' l-Artikolu 16(1) tad-Direttiva 89/391/KEE) (ĠU L 42, 15.2.2003, p. 38).

Artikolu 9

1. Id-Deciżjoni 2011/229/UE għandha tithassar mill-1 ta' Jannar 2015.
2. Il-punti 4.2.6.5, 4.2.7.6 u 7.3.2.15 tal-Anness tad-Deciżjoni 2008/232/KE, għandhom jithassru mill-1 ta' Jannar 2015.
3. Madankollu, id-dispożizzjonijiet imsemmijin fil-paragrafi 1 u 2 għandhom jibqgħu japplikaw għall-proġetti awtorizzati skont it-TSI meħmuża ma' daww id-Deciżjonijiet u, sakemm l-applikant ma jitolb li japplika dan ir-Regolament, għall-proġetti relatati ma' vetturi godda u mat-tiġdid jew l-immodernizzar ta' vetturi eżistenti li huma fi stadju avvanzat ta' żvilupp jew li huma s-suġġett ta' kuntratt li huwa fis-seħh fid-data tal-pubblikazzjoni ta' dan ir-Regolament jew għall-każijiet imsemmijin fl-Artikolu 8 ta' dan ir-Regolament.

Artikolu 10

Dan ir-Regolament għandu jidhol fis-seħh fl-għoxrin jum wara dak tal-pubblikazzjoni tiegħu f'Il-Ġurnal Uffiċjali tal-Unjoni Ewropea.

Għandu japplika mill-1 ta' Jannar 2015. Madankollu, qabel l-1 ta' Jannar 2015, tista' tingħata awtorizzazzjoni għat-tqeghid fis-servizz skont it-TSI, kif stabbilit fl-Anness ta' dan ir-Regolament.

Dan ir-Regolament għandu jorbot fl-intier tiegħu u japplika direttament fl-Istati Membri skont it-Trattati.

Magħmul fi Brussell, is-26 ta' Novembru 2014.

Għall-Kummissjoni
Il-President
Jean-Claude JUNCKER

ANNEX

TABLE OF CONTENTS

1.	INTRODUCTION	426
1.1.	Technical scope	426
1.2.	Geographical scope	426
2.	DEFINITION OF THE SUBSYSTEM	426
3.	ESSENTIAL REQUIREMENTS	426
4.	CHARACTERISATION OF THE SUBSYSTEM	427
4.1.	Introduction	427
4.2.	Functional and technical specifications of the subsystems	427
4.2.1.	Limits for stationary noise	427
4.2.2.	Limits for starting noise	428
4.2.3.	Limits for pass-by noise	428
4.2.4.	Limits for the driver's cab interior noise	429
4.3.	Functional and technical specifications of the interfaces	429
4.4.	Operating rules	430
4.5.	Maintenance rules	430
4.6.	Professional qualifications	430
4.7.	Health and safety conditions	430
4.8.	European register of authorised types of vehicles	430
5.	INTEROPERABILITY CONSTITUENTS	430
6.	CONFORMITY ASSESSMENT AND EC VERIFICATION	430
6.1.	Interoperability constituents	430
6.2.	Subsystem rolling stock regarding noise emitted by rolling stock	430
6.2.1.	Modules	430
6.2.2.	EC verification procedures	431
6.2.3.	Simplified evaluation	433
7.	IMPLEMENTATION	434
7.1.	Application of this TSI to new subsystems	434
7.2.	Application of this TSI to renewed and upgraded subsystems	434
7.3.	Specific cases	434
7.3.1.	Introduction	434
7.3.2.	List of specific cases	435

1. INTRODUCTION

In general Technical Specifications for Interoperability (TSI) lay down for each subsystem (or part of it) the optimal level of harmonised specifications in order to ensure the interoperability of the rail system. Therefore TSIs harmonise only the specifications concerning parameters which are critical to interoperability (basic parameters). The specifications of the TSIs must meet the essential requirements as set out in Annex III of Directive 2008/57/EC.

In line with the proportionality principle this TSI sets out the optimal level of harmonisation related to specifications on the rolling stock subsystem as defined in Section 1.1 intended to limit the noise emission of the rail system within the Union.

1.1. **Technical scope**

This TSI applies to all rolling stock within the scope of Regulation (EU) No 1302/2014 (LOC&PAS TSI) and Regulation (EU) No 321/2013 (WAG TSI).

1.2. **Geographical scope**

The geographical scope of this TSI corresponds to the scopes defined in Section 1.2 of Regulation (EU) No 1302/2014 and in Section 1.2 of Regulation (EU) No 321/2013, each for their rolling stock (RST) concerned.

2. DEFINITION OF THE SUBSYSTEM

A “unit” means the rolling stock which is subject to the application of this TSI, and therefore subject to the “EC” verification procedure. Chapter 2 of Regulation (EU) No 1302/2014 and Chapter 2 of Regulation (EU) No 321/2013 describe what a unit can consist of.

The requirements of this TSI apply to the following categories of rolling stock set out in Section 1.2 in Annex I of Directive 2008/57/EC:

- (a) *Self-propelling thermal or electric trains*. This category is further defined in Chapter 2 of Regulation (EU) 1302/2014 and shall be referred to in this TSI as multiple units, EMU (electrified) or DMU (diesel).
- (b) *Thermal or electric traction units*. This category is further defined in Chapter 2 of Regulation (EU) 1302/2014 and shall be referred to in this TSI as locomotives. Power units that form part of a “self-propelling thermal or electric train” and railcars are not included in this category and belong to the category under point (a).
- (c) *Passenger carriages and other related cars*. This category is further defined in Chapter 2 of Regulation (EU) 1302/2014 and shall be referred to in this TSI as coaches.
- (d) *Freight wagons, including vehicles designed to carry lorries*. This category is further defined in Chapter 2 of Regulation (EU) No 321/2013 and shall be referred to in this TSI as wagons.
- (e) *Mobile railway infrastructure construction and maintenance equipment*. This category is further defined in Chapter 2 of Regulation (EU) No 1302/2014 and consists of on-track machines (referred to in this TSI as OTMs) and infrastructure inspection vehicles, which belong to the categories in points (a), (b) or (d) depending on their design.

3. ESSENTIAL REQUIREMENTS

All basic parameters set out in this TSI must be linked with at least one of the essential requirements as set out in Annex III of Directive 2008/57/EC. Table 1 indicates the allocation.

Table 1

Basic parameters and their link to the essential requirements

Point	Basic parameter	Essential requirements				
		Safety	Reliability availability	Health	Environm. protection	Technical compat.
4.2.1	Limits for stationary noise				1.4.4	
4.2.2	Limits for starting noise				1.4.4	

Point	Basic parameter	Essential requirements				
		Safety	Reliability availability	Health	Environm. protection	Technical compat.
4.2.3	Limits for pass-by noise				1.4.4	
4.2.4	Limits for driver's cab interior noise				1.4.4	

4. CHARACTERISATION OF THE SUBSYSTEM

4.1. Introduction

This Chapter sets out the optimal level of harmonisation related to specifications on the rolling stock subsystem intended to limit the noise emission of the Union rail system and to achieve interoperability.

4.2. Functional and technical specifications of the subsystems

The following parameters have been identified as critical for the interoperability (basic parameters):

- (a) "stationary noise";
- (b) "starting noise";
- (c) "pass-by noise";
- (d) "driver's cab interior noise".

The corresponding functional and technical specifications allocated to the different categories of rolling stock are set out in this section. In case of units equipped with both thermal and electric power the relevant limit values under all normal operation modes shall be respected. If one of these operation modes foresees the use of both thermal and electric power at the same time the less restrictive limit value applies. In accordance with Articles 5(5) and 2(l) of Directive 2008/57/EC, provision may be made for specific cases. Such provisions are indicated in Section 7.3.

The assessment procedures for the requirements in this section are defined in the indicated points and sub points of Chapter 6.

4.2.1. Limits for stationary noise

The limit values for the following sound pressure levels under normal vehicle conditions concerning the stationary noise allocated to the categories of the rolling stock subsystem are set out in Table 2:

- (a) the A-weighted equivalent continuous sound pressure level of the unit ($L_{pAeq,T[unit]}$);
- (b) the A-weighted equivalent continuous sound pressure level at the nearest measuring position i considering the main air compressor ($L_{pAeq,T}^i$); and
- (c) the AF-weighted sound pressure level at the nearest measuring position i considering impulsive noise of the exhaust valve of the air dryer (L_{pAFmax}^i).

The limit values are defined at a distance of 7,5 m from the centre of the track and 1,2 m above top of rail.

Table 2

Limit values for stationary noise

Category of the rolling stock subsystem	$L_{pAeq,T [unit]}$ [dB]	$L_{pAeq,T}^i$ [dB]	L_{pAFmax}^i [dB]
Electric locomotives and OTMs with electric traction	70	75	85
Diesel locomotives and OTMs with diesel traction	71	78	

Category of the rolling stock subsystem	$L_{pAeq,T}$ [unit] [dB]	$L_{pAeq,T}^i$ [dB]	L_{pAFmax}^i [dB]
EMUs	65	68	
DMUs	72	76	
Coaches	64	68	
Wagons	65	n.a.	n.a.

The demonstration of conformity is described in point 6.2.2.1.

4.2.2. Limits for starting noise

The limit values for the AF-weighted maximum sound pressure level ($L_{pAF,max}$) concerning the starting noise allocated to the categories of the rolling stock subsystem are set out in Table 3. The limit values are defined at a distance of 7,5 m from the centre of the track and 1,2 m above top of rail.

Table 3

Limit values for starting noise

Category of the rolling stock subsystem	$L_{pAF,max}$ [dB]
Electric locomotives with total tractive power $P < 4\,500$ kW	81
Electric locomotives with total tractive power $P \geq 4\,500$ kW OTMs with electric traction	84
Diesel locomotives $P < 2\,000$ kW at the engine output shaft	85
Diesel locomotives $P \geq 2\,000$ kW at the engine output shaft OTMs with diesel traction	87
EMUs with a maximum speed $v_{max} < 250$ km/h	80
EMUs with a maximum speed $v_{max} \geq 250$ km/h	83
DMUs $P < 560$ kW/engine at the engine output shaft	82
DMUs $P \geq 560$ kW/engine at the engine output shaft	83

The demonstration of conformity is described in point 6.2.2.2.

4.2.3. Limits for pass-by noise

The limit values for the A-weighted equivalent continuous sound pressure level at a speed of 80 km/h ($L_{pAeq,Tp,(80\text{ km/h})}$) and, if applicable, at 250 km/h ($L_{pAeq,Tp,(250\text{ km/h})}$) concerning the pass-by noise allocated to the categories of the rolling stock subsystem are set out in Table 4. The limit values are defined at a distance of 7,5 m from the centre of the track and 1,2 m above top of rail.

Measurements at speeds higher than or equal to 250 km/h shall also be made at the “additional measurement position” with a height of 3,5 m above top of rail in accordance with Chapter 6 of EN ISO 3095:2013 and assessed against the applicable limit values of Table 4.

Table 4

Limit values for pass-by noise

Category of the rolling stock subsystem	$L_{pAeq,Tp}$ (80 km/h) [dB]	$L_{pAeq,Tp}$ (250 km/h) [dB]
Electric locomotives and OTMs with electric traction	84	99
Diesel locomotives and OTMs with diesel traction	85	n.a.
EMUs	80	95
DMUs	81	96
Coaches	79	n.a.
Wagons (normalised to APL = 0,225) (*)	83	n.a.

(*) APL: the number of axles divided by the length over the buffers (m⁻¹)

The demonstration of conformity is described in point 6.2.2.3.

4.2.4. *Limits for the driver's cab interior noise*

The limit values for the A-weighted equivalent continuous sound pressure level ($L_{pAeq,T}$) concerning the noise within the driver's cab of electric and diesel locomotives, OTMs, EMUs, DMUs and coaches fitted with a cab are set out in Table 5. The limit values are defined in the vicinity of the driver's ear.

Table 5

Limit values for driver's cab interior noise

Noise within the driver's cab	$L_{pAeq,T}$ [dB]
At standstill with horns sounding	95
At maximum speed v_{max} if $v_{max} < 250$ km/h	78
At maximum speed v_{max} if $250 \text{ km/h} \leq v_{max} < 350$ km/h	80

The demonstration of conformity is described in point 6.2.2.4.

4.3. **Functional and technical specifications of the interfaces**

This TSI has the following interfaces with the rolling stock subsystem:

Interface with subsystems of points (a), (b), (c) and (e) of Chapter 2 (dealt with in Regulation (EU) No 1302/2014) with regard to:

- stationary noise,
- starting noise (not applicable to coaches),
- pass-by noise,
- interior noise within the driver's cab, where applicable.

Interface with subsystems of point (d) of Chapter 2 (dealt with in Regulation (EU) No 321/2013) with regard to:

- pass-by noise,
- stationary noise.

4.4. **Operating rules**

Requirements concerning the operating rules for the subsystem rolling stock are set out in Section 4.4 of Regulation (EU) No 1302/2014 and in Section 4.4 of Regulation (EU) No 321/2013.

4.5. **Maintenance rules**

Requirements concerning the maintenance rules for the subsystem rolling stock are set out in Section 4.5 of Regulation (EU) No 1302/2014 and in Section 4.5 of Regulation (EU) No 321/2013.

4.6. **Professional qualifications**

Not applicable.

4.7. **Health and safety conditions**

See Article 6 of this Regulation.

4.8. **European register of authorised types of vehicles**

The data of the rolling stock that must be recorded in the “European register of authorised types of vehicles (ERATV)” are set out in Decision 2011/665/EU.

5. INTEROPERABILITY CONSTITUENTS

There is no interoperability constituent specified in this TSI.

6. CONFORMITY ASSESSMENT AND EC VERIFICATION

6.1. **Interoperability constituents**

Not applicable.

6.2. **Subsystem rolling stock regarding noise emitted by rolling stock**

6.2.1. *Modules*

The EC verification shall be performed in accordance with the module(s) described in Table 6.

Table 6

Modules for EC verification of subsystems

SB	EC-Type Examination
SD	EC verification based on quality management system of the production process
SF	EC verification based on product verification
SH1	EC verification based on full quality management system plus design examination

These modules are specified in detail in Decision 2010/713/EU.

6.2.2. EC verification procedures

The applicant shall choose one of the following assessment procedures consisting of one or more modules for the EC verification of the subsystem:

- (SB+SD),
- (SB+SF),
- (SH1).

Within the application of the chosen module or module combination the subsystem shall be assessed against the requirements defined in Section 4.2. If necessary, additional requirements concerning the assessment are given in the following points.

6.2.2.1. Stationary noise

The demonstration of conformity with the limit values on stationary noise as set out in point 4.2.1 shall be carried out in accordance with Sections 5.1, 5.2, 5.3, 5.4, 5.5 (without clause 5.5.2), 5.7 and clause 5.8.1 of EN ISO 3095:2013.

For the assessment of the main air compressor noise at the nearest measuring position i , the $L_{pAeq,T}^i$ indicator shall be used with T representative of one operating cycle as defined in Section 5.7 of EN ISO 3095:2013. Only the train systems that are required for the air compressor to run under normal operating conditions shall be used for this. The train systems which are not needed for the operation of the compressor may be switched off to prevent contribution to the noise measurement. The demonstration of conformity with the limit values shall be carried out under the conditions solely necessary for operation of the main air compressor at the lowest rpm.

For the assessment of the impulsive noise sources at the nearest measuring position i , the L_{pAFmax}^i indicator shall be used. The relevant noise source is the exhaust from the valves of the air dryer.

6.2.2.2. Starting noise

The demonstration of conformity with the limit values on starting noise as set out in point 4.2.2 shall be carried out in accordance with Chapter 7 (without clause 7.5.1.2) of EN ISO 3095:2013. The maximum level method referring to Section 7.5 of EN ISO 3095:2013 shall apply. Deviating from clause 7.5.3 of EN ISO 3095:2013 the train shall accelerate from standstill up to 30 km/h and then maintain the speed.

In addition the noise shall be measured at a distance of 7,5 m from the centre of the track and a height of 1,2 m above top of rail. The “averaged level method” and the “maximum level method” in accordance with Section 7.6 and 7.5 respectively of EN ISO 3095:2013 shall apply and the train shall accelerate from standstill up to 40 km/h and then maintain the speed. The measured values are not assessed against any limit value and shall be recorded in the technical file and communicated to the Agency.

For OTMs the starting procedure shall be performed without additional trailer loads.

6.2.2.3. Pass-by noise

The demonstration of conformity with the limit values on pass-by noise as set out in point 4.2.3 shall be carried out in accordance with points 6.2.2.3.1 and 6.2.2.3.2.

6.2.2.3.1. Test track conditions

The tests shall be performed on a reference track as defined in Section 6.2 of EN ISO 3095:2013.

However, it is permitted to carry out the test on a track that does not comply with the reference track conditions in terms of acoustic rail roughness level and track decay rates as long as the noise levels measured in accordance with point 6.2.2.3.2 do not exceed the limit values set out in point 4.2.3.

The acoustic rail roughness and the decay rates of the test track shall be determined in any case. If the track on which the tests are performed does meet the reference track conditions, the measured noise levels shall be marked “comparable”, otherwise they shall be marked “non-comparable”. It shall be recorded in the technical file whether the measured noise levels are “comparable” or “non-comparable”.

The measured acoustic rail roughness values of the test track remain valid during a period starting 3 months before and ending 3 months after this measurement, provided that during this period no track maintenance has been performed which influences the rail acoustic roughness.

The measured track decay rate values of the test track shall remain valid during a period starting 1 year before and ending 1 year after this measurement, provided that during this period no track maintenance has been performed which influences the track decay rates.

Confirmation shall be provided in the technical file that the track data related to the type's pass-by noise measurement were valid during the day(s) of testing, e.g. by providing the date of last maintenance having an impact on noise.

Furthermore, it is permitted to carry out tests at speeds equal to or higher than 250 km/h on slab tracks. In this case the limit values shall be 2 dB higher than those set out in point 4.2.3.

6.2.2.3.2. Procedure

The tests shall be carried out in accordance with the provision in Sections 6.1, 6.3, 6.4, 6.5, 6.6 and 6.7 (without 6.7.2) of EN ISO 3095:2013. Any comparison against limit values shall be carried out with results rounded to the nearest integer decibel. Any normalisation shall be performed before rounding. The detailed assessment procedure is set out in points 6.2.2.3.2.1, 6.2.2.3.2.2 and 6.2.2.3.2.3.

6.2.2.3.2.1. EMU, DMUs, locomotives and coaches

For EMU, DMUs, locomotives and coaches three classes of maximum operational speed are distinguished:

- (1) If the maximum operational speed of the unit is lower than or equal to 80 km/h, the pass-by noise shall be measured at its maximum speed $v_{\max}$. This value shall not exceed the limit value $L_{pAeq,Tp(80 \text{ km/h})}$ as set out in point 4.2.3.
- (2) If the maximum operational speed $v_{\max}$ of the unit is higher than 80 km/h and lower than 250 km/h, the pass-by noise shall be measured at 80 km/h and at its maximum speed. Both measured pass-by noise values $L_{pAeq,Tp(v_{\text{test}})}$ shall be normalised to the reference speed of 80 km/h $L_{pAeq,Tp(80 \text{ km/h})}$ using formula (1). The normalised value shall not exceed the limit value $L_{pAeq,Tp(80 \text{ km/h})}$ as set out in point 4.2.3.

Formula (1):

$$L_{pAeq,Tp(80 \text{ km/h})} = L_{pAeq,Tp(v_{\text{test}})} - 30 * \log(v_{\text{test}}/80 \text{ km/h})$$

V_{test} = Actual speed during the measurement

- (3) If the maximum operational speed $v_{\max}$ of the unit is equal to or higher than 250 km/h, the pass-by noise shall be measured at 80 km/h and at its maximum speed with an upper test speed limit of 320 km/h. The measured pass-by noise value $L_{pAeq,Tp(v_{\text{test}})}$ at 80 km/h shall be normalised to the reference speed of 80 km/h $L_{pAeq,Tp(80 \text{ km/h})}$ using formula (1). The normalised value shall not exceed the limit value $L_{pAeq,Tp(80 \text{ km/h})}$ as set out in point 4.2.3. The measured pass-by noise value at maximum speed $L_{pAeq,Tp(v_{\text{test}})}$ shall be normalised to the reference speed of 250 km/h $L_{pAeq,Tp(250 \text{ km/h})}$ using formula (2). The normalised value shall not exceed the limit value $L_{pAeq,Tp(250 \text{ km/h})}$ as set out in point 4.2.3.

Formula (2):

$$L_{pAeq,Tp(250 \text{ km/h})} = L_{pAeq,Tp(v_{\text{test}})} - 50 * \log(v_{\text{test}}/250 \text{ km/h})$$

V_{test} = Actual speed during the measurement

6.2.2.3.2.2. Wagons

For wagons two classes of maximum operational speed are distinguished:

- (1) If the maximum operational speed $v_{\max}$ of the unit is lower than or equal to 80 km/h, the pass-by noise shall be measured at its maximum speed. The measured pass-by noise value $L_{pAeq,Tp(v_{\text{test}})}$ shall be normalised to a reference APL of $0,225 \text{ m}^{-1}$ $L_{pAeq,Tp(PL_{\text{ref}})}$ using formula (3). This value shall not exceed the limit value $L_{pAeq,Tp(80 \text{ km/h})}$ as set out in point 4.2.3.

Formula (3):

$$L_{pAeq,Tp(APLref)} = L_{pAeq,Tp(vtest)} - 10 * \log(APL_{wag}/0,225 \text{ m}^{-1})$$

APL_{wag} = Number of axles divided by the length over the buffers [m^{-1}]

V_{test} = Actual speed during the measurement

- (2) If the maximum operational speed v_{max} of the unit is higher than 80 km/h, the pass-by noise shall be measured at 80 km/h and at its maximum speed. Both measured pass-by noise values $L_{pAeq,Tp(vtest)}$ shall be normalised to the reference speed of 80 km/h and to a reference APL of $0,225 \text{ m}^{-1}$ $L_{pAeq,Tp(APL \text{ ref, } 80 \text{ km/h})}$ using formula (4). The normalised value shall not exceed the limit value $L_{pAeq,Tp(80 \text{ km/h})}$ as set out in point 4.2.3.

Formula (4):

$$L_{pAeq,Tp(APLref, 80 \text{ km/h})} = L_{pAeq,Tp(vtest)} - 10 * \log(APL_{wag}/0,225 \text{ m}^{-1}) - 30 * \log(v_{test}/80 \text{ km/h})$$

APL_{wag} = Number of axles divided by the length over the buffers [m^{-1}]

V_{test} = Actual speed during the measurement

6.2.2.3.2.3. OTMs

For OTMs the same assessment procedure as set out in 6.2.2.3.2.1 applies. The measuring procedure shall be performed without additional trailer loads.

OTMs are deemed to comply with the pass-by noise level requirements in point 4.2.3 without measuring when they are:

- solely braked by either composite brake blocks or disc brakes, and
- equipped with composite scrubbers, if scrubber blocks are fitted.

6.2.2.4. Driver's cab interior noise

The demonstration of conformity with the limit values on the driver's cab interior noise as set out in point 4.2.4 shall be carried out in accordance with EN 15892:2011. For OTMs the measuring procedure shall be performed without additional trailer loads.

6.2.3. Simplified evaluation

Instead of the test procedures as set out in point 6.2.2, it is permitted to substitute some or all of the tests by a simplified evaluation. The simplified evaluation consists of acoustically comparing the unit under assessment to an existing type (further referred to as the reference type) with documented noise characteristics.

The simplified evaluation may be used for each of the applicable basic parameters "stationary noise", "starting noise", "pass-by noise" and "driver's cab interior noise" autonomously and shall consist of providing evidence that the effects of the differences of the unit under assessment do not result in exceeding the limit values set out in Section 4.2.

For the units under simplified evaluation, the proof of conformity shall include a detailed description of the noise relevant changes compared to the reference type. From this description, a simplified evaluation shall be performed. The estimated noise values shall include the uncertainties of the applied evaluation method. The simplified evaluation can either be a calculation and/or simplified measurement.

A unit certified on the basis of the simplified evaluation method shall not be used as a reference unit for a further evaluation.

If the simplified evaluation is applied for pass-by noise, the reference-type shall comply with at least one of the following:

- Chapter 4 and for which the pass-by noise results are marked “comparable”
- Chapter 4 of Decision 2011/229/EU and for which the pass-by noise results are marked “comparable”
- Chapter 4 of Decision 2006/66/EC
- Chapter 4 of Decision 2008/232/EC.

In case of a wagon whose parameters remain, compared to the reference type, within the permitted range of Table 7 it is deemed without further verification that the unit complies with the limit values on pass-by noise as set out in point 4.2.3.

Table 7

Permitted variation of wagons for the exemption from verification

Parameter	Permitted variation (compared to the reference unit)
Max. unit speed	Any speed up to 160 km/h
Type of wheel	Only if equally or less noisy (acoustic characterisation i. a. w. Annex E of EN 13979-1:2011)
Tare weight	Only within the range of +20 %/– 5 %
Brake block	Only if variation does not result in higher noise emission.

7. IMPLEMENTATION

7.1. **Application of this TSI to new subsystems**

See Article 8 of this Regulation.

7.2. **Application of this TSI to renewed and upgraded subsystems**

If a Member State considers that in accordance with Article 20(1) of Directive 2008/57/EC a new authorisation for placing in service is necessary, the applicant shall demonstrate that the noise levels of renewed or upgraded units remain below the limits set out in the TSI which was applicable when the unit in question was first authorised. If no TSI existed at the time of the first authorisation, it shall be demonstrated that the noise levels of renewed or upgraded units are either not increased or remain below the limits set out in Decision 2006/66/EC or Decision 2002/735/EC.

The demonstration shall be limited to the basic parameters affected by the renewal/upgrade.

If the simplified evaluation is applied, the original unit may represent the reference unit in accordance with the provisions of point 6.2.3.

The replacement of a whole unit or (a) vehicle(s) within a unit (e.g. a replacement after a severe damage) does not require a conformity assessment against this TSI, as long as the unit or the vehicle(s) are identical to the ones they replace.

If, during renewal or upgrading of a wagon, a wagon is being equipped with composite brake blocks and no noise sources are added to the wagon under assessment, then it shall be assumed that the requirements of point 4.2.3 are met without further testing.

7.3. **Specific cases**

7.3.1. *Introduction*

The specific cases, as listed in point 7.3.2, are classified as

- (a) “P” cases: “permanent” cases;
- (b) “T” cases: “temporary” cases.

7.3.2. List of specific cases

7.3.2.1. General specific case

Specific case Estonia, Finland, Latvia and Lithuania

(“P”) For units from third countries with 1 520mm wheel set gauge the application of national technical rules instead of the requirements in this TSI is permitted.

7.3.2.2. Limits for stationary noise (point 4.2.1)

(a) Specific case Finland

(“T”) For coaches and wagons equipped with a diesel generator for electrical power supply higher than 100 kW and intended to operate solely on the railway network of Finland the limit value for stationary noise $L_{pAeq,T [unit]}$ in Table 2 may be raised up to 72 dB.

Decision 2011/229/EU may continue to be applied for freight wagons to be used only on the territory of Finland and until the relevant technical solution in relation to Nordic winter conditions is found, but in any case not later than until 31 December 2017. This shall not prevent freight wagons from other Member States to operate on the Finnish network.

(b) Specific case UK for Great Britain

(“P”) For DMUs intended to operate solely on the railway network of Great Britain the limit value for stationary noise $L_{pAeq,T [unit]}$ in Table 2 may be raised up to 77 dB.

This specific case does not apply to DMUs intended to operate solely on the High Speed 1 railway network.

(c) Specific case UK for Great Britain

(“T”) For units intended to operate solely on the railway network of Great Britain the limit values $L_{pAeq,T}^i$ in Table 2 considering the main air compressor do not apply. The measured values shall be submitted to the NSA UK.

This specific case does not apply to units intended to operate solely on the High Speed 1 railway network.

7.3.2.3. Limits for starting noise (point 4.2.2)

(a) Specific case Sweden

(“T”) For locomotives with total tractive power of more than 6 000 kW and a maximum axle load of more than 25 t the limit values for starting noise $L_{pAF,max}$ in Table 3 may be raised up to 89 dB.

(b) Specific case UK for Great Britain

(“P”) For units specified in Table 8 intended to operate solely on the railway network of Great Britain the limit value for starting noise $L_{pAF,max}$ in Table 3 may be raised up to the values set out in Table 8.

Table 8

Limit values for starting noise regarding a specific case UK for Great Britain

Category of the rolling stock subsystem	$L_{pAF,max}$ [dB]
Electric locomotives with total tractive power $P < 4\,500$ kW	83
Diesel locomotives $P < 2\,000$ kW at the engine output shaft	89
DMUs	85

This specific case does not apply to units intended to operate solely on the High Speed 1 railway network.

7.3.2.4. Limits for pass-by noise (point 4.2.3)

(a) Specific case Sweden

(“T”) For locomotives with total tractive power of more than 6 000 kW and a maximum axle load of more than 25 t the limit values for pass-by noise $L_{pAeq,Tp}$ (80 km/h) in Table 4 may be raised up to 85 dB.

Appendix A
Open points

This TSI does not contain any open points

Appendix B
Standards referred to in this TSI

TSI		Standard	
Characteristics to be assessed		References to mandatory standards	Chapter
Stationary noise	4.2.1	—	—
	6.2.2.1	EN ISO 3095:2013	5
Starting noise	4.2.2	—	—
	6.2.2.2	EN ISO 3095:2013	7
Pass-by noise	4.2.3	EN ISO 3095:2013	6
	6.2.2.3	EN ISO 3095:2013	6
Driver's cab interior noise	4.2.4	—	—
	6.2.2.4	EN 15892:2011	all
Simplified evaluation	6.2.3	EN 13979-1:2011	Annex E

Appendix C

Assessment of the rolling stock subsystem

Characteristics to be assessed, as specified in Section 4.2					Particular assessment procedure
		Design review	Type Test	Routine Test	Point
Element of the rolling stock sub-system	Point				
Stationary noise	4.2.1	X (*)	X	n.a.	6.2.2.1
Starting noise	4.2.2	X (*)	X	n.a.	6.2.2.2
Pass-by noise	4.2.3	X (*)	X	n.a.	6.2.2.3
Driver's cab interior noise	4.2.4	X (*)	X	n.a.	6.2.2.4

(*) Only if the simplified evaluation in accordance with point 6.2.3 is applied.