

Annex

to the Memorandum of Understanding on the implementation of approval procedures for rolling stock and cross-acceptance of approval procedures of the competent supervisory authorities in the Netherlands, Germany, Switzerland, Austria and Italy.

1. Scope

The Memorandum of Understanding refers to the approval of the placing into service of locomotives, railcars as well as passenger coaches. It applies to:

- new vehicles for which a joint uniform procedure has to be carried out in the countries mentioned above and
- vehicles and vehicle types which are already in service in one of the Participatory States: in the Netherlands, in the Federal Republic of Germany, Switzerland, Austria and Italy and need to be approved in the other countries.

2. Principle

The competent authorities of the Participatory States use a list of common approval requirements called checklist.

The competent authorities will adapt the checklist by mutual agreement if changes to the requirements on which it is based occur.

The procedure does not affect to the compliance with infrastructure-related requirements which are in line with the non-discriminatory access to the network determined by the competent infrastructure manager.

3. Classification of the requirements into categories

The 24 items included in the checklist were divided into the following three categories:

Category A

Category A contains items covered by:

- international standards;
- national regulations regarding railway safety which are considered equivalent to the national regulations of other Participatory States.

Category B

Category B contains all items which do not fall under categories A and C or which can currently not be classified into one of these categories. The aim is to minimize the items in category B and put them by further technical assessment into the categories A or C.

Category C

Category C contains items which are necessary standards to guarantee the safe and interoperable operation in the network concerned and are linked to the technical characteristics of the infrastructure (e.g. structure gauge). In the case of identical requirements the results of previous checks are cross-accepted.

4. Relevant items for cross-acceptance (Category A)

- a) Cross-accepted items are classified into Category A by the competent authorities of the Participatory States. These items only need to be checked by a single competent authority or a single assigned body which is recognized by the competent authority in accordance with national law. The competent authorities of the other countries accept the validity of previous checks without further checking.

- b) There is no obligation to translate the documents for A-items. A certificate of conformity for a requirement issued by the competent authority that has checked this requirement and the translation of this certificate is sufficient to prove the conformity to the other competent authorities. The compilation of several items in one certificate is possible. The competent authorities will define a common format of the certificate of conformity.

5. Approval procedure for new vehicle types

- a) The applicant submits the application and an additional approval dossier to the competent authority to simplify the implementation of the procedure.
- b) The competent authority establishes a common organization for all projects of this kind.
- c) This organization has to include in particular a roadmap for the implementation.
- d) One of the competent authorities is designated to co-ordinate the approval procedures according to the project characteristics and especially the system responsibility.
- e) The project management is generally taken on by
 - the competent authority competent for the seat of the manufacturer if a manufacturer has submitted the application;
 - the competent authority competent for the seat of the operator if an operator has submitted the application.

6. Approval procedure for vehicles and vehicle types which are in service

Besides the procedure described under no. 5, the following special circumstances apply to vehicles which are already in service:

- a) The competent authority which issued the first approval of the vehicle provides the competent authority where approval of the vehicle is sought with an overview of the existing reference documents as well as the reports of the checks if still available. If the reports are not available or incomplete the competent authority which approved the vehicle will issue a confirmation stating that the vehicle was put into service according to the construction and safety regulations applicable at the time of approval and that it has not been modified since then, or alternatively, that there are no safety concerns about the operation of the vehicle.
- b) If required, additional available material will be provided.

7. Overview of the classification of the items for cross-acceptance

The technical items have been structured by the multilateral working group established between experts of the competent authorities according to the list below:

Item	as regards	Category	
0	general information		
1	vehicle dynamics		AB
2	vehicle superstructure		A
3	draw and buffer gear		A
4	bogie and running gear		A
5	wheel set/ wheel set bearing		A
6	brake equipment		AB
7	technical systems requiring monitoring (e.g. compressed air system)		AB
8	pantographs		C
9	windows		A
10	doors		A
11	devices for passing		A
12	on board energy /EMC		C
13	software		B
14	drinking water and waste water systems		B
15	environmental protection		B
16	fire protection		B
17	occupational health and safety		B
18	vehicle gauge		AC
19	miscellaneous safety equipment (e.g. control command, train radio)		AB C
20	tank		/
21	pressure-discharge freight container		/
22	load securing		/
23	marking		AB
24	joining technology		A

The classification of the items generally reflects the status checked by the five Participatory States. On some items a higher or lower bilateral classification exists between some Participatory States.

The items Nr. 20 – 22 relate to freight wagons.

8. Checklist

The content of every item is described in detail in a working document with the reference Checklist. This document is jointly updated by mutual agreement from the experts of the respective competent authorities at regular intervals. The number and the classification of the items into the categories A, B and C will be updated according to the further technical assessment. The competent authorities will ensure the publication of the checklist and the updates according to national practices.