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NB-Rail Association

RECOMMENDATION FOR USE

NB-RAIL COORDINATION GROUP

Administrative Decision according to Interoperability Directive
(EU) 2016/797 art. 30.6



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RFU-INF-105

Issue 02

Date 13/11/2024

TITLE

LEVEL TRACK CROSSINGS OPERATED FOR A SAFE CROSSING OF VISUALLY IMPAIRED PEOPLE

ORIGINATOR

INF SG

SUBJECT RELATED TO

- Regulation (EU) 1300/2014
- Regulation (EU) 2019/772
- Regulation (EU) 2023/1694

AMENDMENT RECORD:

Issue 02: 13/11/2024: Update of legal reference

DESCRIPTION AND BACKGROUND EXPLANATION

The aim of this RFU is to help assessing those level track crossings which are not supervised nor equipped for a safe crossing of blind or visually impaired people (for example, control-command and signalling system applied to the level track crossing).

Supervised level track crossings are out of NoBo scope according to point 4.4.1 of TSI PRM 1300/2014.

In some small stations, level track crossings are the only one possible way, because subway or overpass are too expensive and sometimes it is impossible to use them due to the spatial limitations (no additional space around the station to change track configuration). Also, a control command and signalling system for level track crossing is too expensive in many cases. Moreover, in many small stations there is no infrastructure/station manager employee. The only way to solve this situation is to operate the level track crossing as a safe crossing for visually impaired people as stated in the TSI PRM point 4.2.1.15.

With ERA Technical Opinion “ERA TO ERA/OPI/2017-1” it has been indicated that NoBo has final responsibility for fulfilment of point 4.2.1.15 and all requirements are considered as technical requirements.

However, subclause (3) refers to the application of national rules for equipment for a safe crossing of visually impaired people or if level track crossing is operated for a safe crossing by visually impaired people. By definition of Directive (EU) 2016/797 these references have to be assessed by a designated body (DeBo) based on notified national technical rules (NNTR).

Uncertainties are triggered mainly by these three shortfalls:

1. By now, not all Member States have properly implemented the 4th railway package by updating their national laws and having correct definitions for NoBo and DeBo. Further-more, not all TSI references to national rules and subsequent drafting of notified national technical rules have been considered yet.
2. It has not been fully clarified yet, how a NoBo has to implement or consider expert reports, issued by a DeBo or another national expert for the railway sector, in his EC verification process.



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3. Requirement to application of national rules within 4.2.1.15 of TSI PRM is not specifically listed as an “open point” nor as “specific case” in the TSI PRM (“specific cases” would require notified national technical rules).

Question

How to deal with level track crossings that rely on national rules for a safe crossing of visually impaired people?

RFU PROPOSAL

The assessment process depends on the following 3 possibilities:

1. a DeBo has been appointed and verifies that notified national rules have been properly implemented. He provides his verification report to NoBo so that NoBo can assess point 4.2.1.15 and issue an EC certificate of verification;
2. a DeBo or other assessment expert (e.g. from IM organization, university...) uses non-notified rules to assess the level track crossing, NoBo has to check and verify that these rules take into account safe crossing of visually impaired people, with the following two options:
 - a. if the applied rules specify how visually impaired people are kept safe, NoBo shall use the verification report/statement issued by DeBo or other assessment expert to assess point 4.2.1.15 and issue an EC-certificate of verification;
 - b. if the applied rules do not specify how visually impaired people are kept safe, the NoBo cannot accept a verification report/statement issued by DeBo or other assessment expert, because in that case the verification report/statement does not fully cover the TSI requirement 4.2.1.15 for NoBo assessment. Only an ISV can be issued by NoBo. The NoBo may provide additional information about the non-compliant part of the subsystem in the NoBo File or in the Assessment Report.
3. if no rule exists for passenger level track crossings in stations, only ISV can be issued by NoBo; these level track crossings can not be part of an obstacle free route indeed.

THIS RFU WAS AGREED ON

PLENARY MEETING 072



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THIS RFU ENTERS INTO FORCE ON

27/11/2024 (DATE OF PUBLICATION)

FROM THIS DATE ON THIS RFU CAN BE APPLIED INSTEAD OF THE PREVIOUS MANDATORY VERSION.

RFU APPLICATION IS MANDATORY STARTING FROM

27/11/2024

AT THIS DATE ANY PREVIOUS VERSIONS OF THIS RFU WILL BE WITHDRAWN.

RFUs SHALL BE APPLIED BY ALL NOBOS. PLEASE REFER TO RFU-STR-702, CHAPTER 3 OF THE SECTION "DESCRIPTION AND BACKGROUND EXPLANATION", FOR THE LEGAL BASIS SUPPORTING THIS OBLIGATION.

ERA COMMENTS

PLE072– 13/11/2024: No COMMENTS