AERRL and ALLRAIL support the European Commission's initiative to revise Regulation (EU) 2016/796 on the European Union Agency for Railways (ERA). This revision represents a key opportunity to further strengthen the Single European Railway Area, accelerate market opening, and enhance the competitiveness, sustainability and innovation capacity of the European rail sector.

As representatives of rolling stock keepers, lessors, and independent passenger rail companies, we believe the Agency's mandate must evolve to reflect market developments, technological transformation and the Union's environmental and competitiveness objectives.

First, ERA should be explicitly mandated to support asset life optimisation and circular economy principles. Extending the lifetime of rolling stock through maintenance, upgrades, access to spare parts, software access and obsolescence management is essential to reduce costs, improve fleet availability and strengthen the business case for rail investment. A longer asset life directly enhances European competitiveness by lowering barriers to entry and improving return on investment for new market players.

Second, the revision should address the growing risk of premature obsolescence and spare parts unavailability. ERA should systematically assess how Technical Specifications for Interoperability (TSIs) impact asset lifetime, spare parts accessibility and upgradeability. Ensuring interchangeability and standardisation of key spare parts will improve resilience, sustainability and operational continuity across the sector.

Third, the Agency's governance and technical work must reflect the evolution of the market. Rolling stock keepers have emerged as key actors in the European railway system, assuming significant responsibilities and making substantial long-term investments in rolling stock assets. Despite this central role, they are not explicitly represented among the stakeholders on the ERA Management Board. The revised Regulation should therefore ensure that they are formally included among the stakeholder representatives.

The roles and responsibilities of stakeholders should be clearly defined in technical recommendations and TSIs. Clarifying these roles is essential for safety, legal certainty and efficient cooperation.

Fourth, ERA should be required to assess the economic impacts of new technologies and ensure a fair balance between stakeholders. Innovation must not unintentionally distort competition or disproportionately favour certain actors. A stronger impact assessment methodology would help guarantee that technological progress supports equitable market growth and accelerates modal shift.

Lastly, the revision should clarify ERA's role in assessing compliance of railway registers and relevant third-party databases with the Agency's data standards, including semantic interoperability. As digitalisation accelerates across the sector, the proliferation of regulatory and market-driven databases risks creating fragmentation and inconsistent data models. Providing ERA with an explicit mandate to assess compliance with common Union data standards will help prevent semantic inconsistencies and support reliable cross-border operations within the Single European Railway Area.

Ultimately, the Agency's core objective should be to contribute to increasing rail's market share while ensuring safety, interoperability, sustainability and open competition. A more inclusive Agency with a mandate aligned with asset life optimisation, circular economy principles and competitive neutrality will support a dynamic, innovative and investment-friendly European railway market.

Proposed Amendments

AERRL and ALLRIAL propose that the revision of the ERA Regulation be implemented through targeted amendments to the Regulation, structured around the following categories:

1. Asset Life Optimisation & Circular Economy Integration

We propose to:

- Explicitly mandate ERA to prioritise asset life optimisation in drafting recommendations (Art. 19).
- Integrate environmental and lifecycle considerations into innovation tasks (Art. 40).
- Introduce a recital clarifying that all ERA missions must contribute to sustainability, circular economy and longer asset lifetimes.

Objective: Embed sustainability and competitiveness into ERA's core technical mission.

2. Spare Parts Availability & Interchangeability

We propose to:

- Amend Article 45 to require ERA to identify and include in TSIs a list of interchangeable spare parts and interfaces to these spare parts.
- Establish dedicated coordination within TSI working parties and ad hoc groups.
- Require ERA to issue recommendations for new or revised European standards.

Objective: Prevent premature obsolescence and improve operational resilience.

3. Governance & Inclusion of Key Investors

We propose to:

- Include Rolling Stock Keepers among stakeholder representatives on the Management Board (Art. 47).

Objective: Align ERA governance with market reality.

4. Clarification of Roles & Market Balance

We propose to:

- Require ERA to clarify stakeholder roles in TSIs (Art. 19), particularly between keepers, ECMs and other actors.
- Strengthen impact assessment obligations (Art. 8).
- Mandate ERA to assess who benefits from new technologies and ensure a fair balance between stakeholders.

Objective: Improve legal certainty, safety and competitive neutrality.

5. Registers Coordination & Digital Interoperability

We propose to:

- Add a new point (e) to Article 37(2) requiring ERA to assess compliance of registers and relevant third-party databases with the Agency's data standards, including semantic interoperability.

Objective: Ensure consistency, semantic interoperability and compliance of railway databases in order to prevent fragmentation and support efficient cross-border operations within the Single European Railway Area.

Existing: in black

New: in red

1. Asset Life optimization

Article 19 **Technical support in the field of railway interoperability**

"2. In drafting recommendations as referred to in points (a), (b), (c), (h), (k) and (l) of paragraph 1, the Agency shall:

(a) ensure that the TSIs and the specifications for registers are adapted to technical progress, market trends, social requirements *as well as environmental requirements, giving priority to increasing product lifetimes by including requirements to ensure that asset lifetimes are optimised."*

Article 40 **Research and promotion of innovation**

"2. The Commission may entrust the Agency with the task of promoting innovation aimed at improving railway safety and interoperability, particularly the use of new information technologies, timetable information and tracking, tracing systems. *When encouraging innovation, the Agency shall endeavour to prioritise technologies and the design of more durable equipment to enable longer use, extending their use through maintenance and upgrades to improve asset life optimisation."*

Recital – New

"Whereas the Agency shall have for objective to improve the European railway sustainability and promote circular economy, all the Agency's missions must be carried out in a way as to optimise the life of assets, including the impact it may have directly or indirectly on availability and access to spare parts, product expertise, obsolescence remediation solutions, access to the source code for software installed in the locomotives and low cost and easy technological upgrades to comply to new regulatory constraints as such as ERTMS or communication equipment."

Justification

To better support the goal of sustainability and circular economy in the rail market, the Agency shall be responsible for helping rail stakeholders maintain the life of their modern locomotives by promoting maintenance and upgrades through asset life optimisation.

2. Spare parts

Article 45 **Coordination regarding spare parts** "The Agency shall contribute to the identification of potential interchangeable spare parts to be standardised, including main interfaces to such spare parts. To that end, the Agency may establish a working party to coordinate the activities of relevant stakeholders and may establish contacts with the European standardisation bodies. The Agency shall present to the Commission appropriate recommendations." New: *Article 45*: ***Coordination regarding spare parts*** *1. When drafting and/or revising TSIs related to on-board subsystems, the Agency shall identify the list of potential interchangeable spare parts to be standardised, including interfaces to such spare parts. The list shall be included in the TSIs.* *2. To that end, the Agency shall use the TSI working parties referred to in Article 5(1) and establish an ad hoc working party to coordinate the activities related to spare parts.* *3. The Agency shall present to the Commission appropriate recommendations, including recommendations for the development of new standards or the revision of existing standards."*

Justification

This is a proposal to improve the availability and interchangeability of spare parts - the often overlooked missing link between sustainable transport and circular economy.

The risk of premature obsolescence affects rail rolling stock owners, railway undertakings as well as the environment. We push for more sustainability with regard to the maintenance of vehicles. This objective is totally in line with European legislation and strategies that put forward the need to consider sustainability in

each decision made, in order to reduce consumption, waste generation, and the transition towards a regenerative growth model[1].

The European Union aims to achieve a sustainable and ressource-efficient economic system. In this context, the revision of the ERA Regulation offers a timely opportunity to introduce a clear requirement to assess the impact of TSIs on rolling stock asset lifetimes and on the accessibility to spare parts.

Many products are affected by premature obsolescence which implies that they are no longer usable or they are outdated. This impacts the profitability of the product as well as the environment as obsolescence increases waste and the pressure on natural resources that are increasingly becoming scarce.

Nevertheless, the European Commission Circular Economy Action Plan is clear on the intention to promote longer product lifetimes through several means in order to avoid premature obsolescence[2].

The EU Green Deal's ambitious growth targets also call for further measures to reduce costs and improve the rail service. Solving the problem of unavailability of spare parts leads to an increased rolling stock lifetime, a higher return on investment in rolling stock and higher availability of rolling stock. Ultimately, these advantages lead to lowering the barriers to market entry, reduced maintenance costs and hence additional budget than can be used to deploy new technologies.

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[1] For example, the circular economy action plan, the sustainable product policy initiative, and the Waste Directive. Article 9 of Waste Directive states: "Member States shall take measures to prevent waste generation. Those measures shall, at least: (a) promote and support sustainable production and consumption models; (b) encourage the design, manufacturing and use of products that are resource-efficient, durable (including in terms of life span and absence of planned obsolescence), reparable, re-usable and upgradable…"

[2] Communication from the Commission to the European Parliament, the Council, the European Economic and social Committee and the Committee of the Regions, A new Circular Economy Action Plan For a cleaner and more competitive Europe, 11.03.2020, page 4:
"In order to **make products fit for a climate-neutral, resource-efficient and circular economy**, reduce waste and ensure that the performance of front-runners in sustainability
progressively becomes the norm, the Commission will propose **a sustainable product policy legislative initiative.**
The **core of this legislative** initiative will be to widen the Ecodesign Directive beyond energy-related products so as to **make the Ecodesign framework applicable to the broadest possible range of products and make it deliver on circularity**.
As part of this legislative initiative, and, where appropriate, through complementary legislative proposals, the Commission will consider establishing **sustainability principles** and other appropriate ways to regulate the following aspects:
 improving product **durability, reusability, upgradability and reparability**, addressing the presence of **hazardous chemicals** in products, and increasing their **energy and resource efficiency**; (…)".

3. Inclusion of major investors in the Management Board, clarification of roles and balance

Article 47 **Composition of the Management Board** "1. The Management Board shall be composed of one representative from each Member State and two representatives of the Commission, all with a right to vote. The Management Board shall also include six representatives, without a right to vote, representing, at European level, the following stakeholders: (a) railway undertakings; (b) infrastructure managers; (c) the railway industry; (d) trade-union organisations; (e) passengers; (f) freight customers; *"(g) Rolling Stock Keepers"*. For each of those stakeholders, the Commission shall appoint a representative and an alternate from a shortlist of four names submitted by their respective European organisations.

Article 19 (2) **Technical support in the field of railway interoperability** "2. In drafting recommendations as referred to in points (a), (b), (c), (h), (k) and (l) of paragraph 1, the Agency shall: (a) ensure that the TSIs and the specifications for registers are adapted to technical progress, *market trends (in particular by clarifying the roles of the stakeholders in the rail sector in accordance with market developments and the introduction of new stakeholders), and* social *as well as environmental requirements, giving priority to increasing product lifetimes to ensure that asset lifetimes are optimised."*

Article 8 **Impact Assessment** "1. The Agency shall conduct an impact assessment of its recommendations and opinions. The Management Board shall adopt an impact-assessment methodology based on the methodology of the Commission. The Agency shall liaise with the Commission to ensure that relevant work at the Commission is duly taken into account. The Agency shall clearly identify the assumptions used as the basis for the impact assessment and the data sources used in the report accompanying each recommendation. 1bis or New 2:

The Agency shall assess the economic impacts of new technologies, including identifying the stakeholders who benefit from such innovations. While it may not always be feasible to achieve a perfectly equitable outcome, the Agency shall be mandated to make reasonable efforts to ensure that its recommendations aim for a fair balance between stakeholders. The Agency's responsibility should include striving to consider the interests of all relevant parties, ensuring that the introduction of new technologies fosters equitable growth and does not disproportionately favour one group over another."

Article 19 **Technical support in the field of railway interoperability** - New

"2. In drafting recommendations as referred to in points (a), (b), (c), (h), (k) and (l) of paragraph 1, the Agency shall:

(a) see above

(b) ensure that the development and updating of the TSIs and the development of any European standards which prove necessary for interoperability are coordinated, and maintain relevant contacts with European standardisation bodies;

(c) participate, where appropriate, as an observer in the relevant working groups established by recognised standardisation bodies.

(d) Make every reasonable effort to ensure that the TSIs introducing new technologies ensure a fair balance between stakeholders benefiting from those technologies and those who may be adversely affected."

Justification

As the rail market develops, the governance of the European Railway Agency must evolve. Therefore, given the significant investment that keepers make in rolling stock and their experience in rolling stock management, maintenance and international traffic, they play a key role in developing rail market share. For this reason, we need to improve the representativeness of the rail sector on the ERA Board, and we therefore recommend adding them to the category of stakeholder representatives as observers on the ERA Management Board, as defined in the *Article 47*.

The market evolution and the introduction of new economic players must also be reflected by a clarification of roles of the different players and an attention to be

paid to the right balance between them. It is especially important that the roles and respective responsibilities between keeper and ECM are clarified, for safety reasons.

In line with this, explicit mandate should be given to assess who is benefitting from the advantages of a new technology and to ensure, when producing a recommendation, a fair balance between stakeholders benefitting from the advantages of the new technology in question and the others.

Economic and technological regulation can no longer ignore the fact that new technologies are upsetting the old balance between 'on-board' and 'on-track' - unless the agency takes this phenomenon into account, relations between stakeholders are likely to become complicated and market uptake will take even longer (*Article* 8 and *Article* 19 of the Regulation).

4. Assessing compliance of third party registers and databases to the Agency's data standard

Article 37(2)(f) **Registers and their accessibility – New**

"2. The Agency shall act as the system authority for all registers and databases referred to in Directive (EU) 2016/797, Directive (EU) 2016/798 and Directive 2007/59/EC. Its actions in that capacity shall include, in particular:

(a) developing and maintaining specifications of the registers;

(b) coordinating developments in the Member States in relation to the registers;

(c) providing guidance on the registers to relevant stakeholders;

(d) addressing recommendations to the Commission regarding improvements to the specifications of existing registers, where necessary including simplification and deletion of redundant information, and any need to set up new ones, subject to a cost-benefit analysis;

(e) assessing compliance to Agency's data standard, including semantic interoperability, of the registers and databases relevant for railway safety and interoperability developed or managed by third parties.

Justification

The proliferation of digital applications and databases across the European railway sector, driven by both regulatory requirements and market innovation, risks creating fragmented data silos if not properly coordinated. Railway operators increasingly rely on multiple databases for operational data exchange (e.g., train running information, infrastructure characteristics, rolling stock technical data, staff certification). Without a central coordinating authority ensuring technical alignment, the sector risks facing:

1. Semantic interoperability failures: Different databases using incompatible data models, taxonomies, or definitions for the same railway concepts, preventing seamless automated data exchange;
2. Data quality inconsistencies: Varying validation rules, update frequencies, and quality assurance processes across databases undermining reliability of cross-system operations;
3. Compliance uncertainty: Operators struggling to determine which databases meet regulatory requirements for cross-border operations under the interoperability and safety directives.

We believe that the explicit mandate for ERA to promote the use of the Agency's railway data ontology to achieve semantic interoperability is particularly essential. The ERA ontology provides a common conceptual framework ensuring that all railway digital systems -regardless of developer- speak the same language when describing assets, operations, and processes. This becomes crucial as telematics applications, digital traffic operations, and other advanced systems generate massive data exchanges requiring machine-readable semantic consistency.

The reference to databases developed or managed by third parties recognizes that many railway digital solutions emerge from industry initiatives, sector bodies, or commercial providers. ERA's role of assessment compliance should ensure these market-driven innovations remain interoperable with Union-mandated systems (RINF, ERADIS, EVR, ECVVR, etc.) and contribute to -rather than fragment- the European railway data ecosystem.

On this background, we strongly support the addition of paragraph (e) and its emphasis on ERA's authority over registers and databases, including those developed or managed by third parties. This provision will address the critical gap in the management of railway digitalisation in the current regulatory framework.