

99159018006000

Ausnahmen von der Anwendung der TSI Genehmigung

Heruntergeladen am 05.07.2025

<https://fimportal.de/xzufi-services/106311989/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99159018006000
Leistungsbezeichnung I	Ausnahmen von der Anwendung der TSI Genehmigung
Leistungsbezeichnung II	Request exemption from full and partial application of the Technical Specification for Interoperability (TSI)
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Genehmigung (6)
SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Transportgenehmigungen (2110200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	27.10.2023
Fachlich freigegeben durch	Federal Ministry for Digital and Transport Affairs (BMDV)
Handlungsgrundlage	https://www.gesetze-im-internet.de/aeg_1994/index.html https://www.gesetze-im-internet.de/eigv/_5.html https://www.gesetze-im-internet.de/bgebg/index.html https://www.gesetze-im-internet.de/ebabgebv/index.html
Teaser	Does the current Technical Specifications for Interoperability (TSI) prevent or hinder the approval of your rail vehicle? Then in certain cases you can apply for an exemption from the application of the TSI.
Volltext	<p>If you are developing or building a rail vehicle that is to operate in Germany, you need a vehicle type approval or an authorization for placing on the market. Your approval may not be possible or may be hindered due to the application of the current TSI.</p> <p>If this applies to you, you can apply to the Federal Railway Authority (EBA) for an exemption from the partial or full application of the TSI in 4 cases.</p> <p>These are the following cases:</p> <ol style="list-style-type: none"> 1. The project is at an advanced stage of development at the time a new TSI comes into force or is the subject of a contract currently being implemented. 2. The economic viability of the project or the coherence of the rail system in the Federal Republic of Germany is affected by the application of a new TSI. 3. These are vehicles that are also intended to operate in third countries with a track gauge other than the standard gauge. 4. Following an accident, including a terrorist attack or a natural disaster, the network must be restored quickly.
Erforderliche Unterlagen	• Form "Request for exemption from TSI"

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- economic or technical analysis, or both, to ensure that the non-application is justified and limited to what is necessary in the specific circumstances

For case number 1

- Evidence that the design or construction of a project at an advanced stage of development is such that its viability in the form envisaged could be affected by a change in the technical specifications. The definition of "project at an advanced stage of development" follows an EU directive.

For case number 2

- Proof that the full or partial application of one or more TSIs will affect the economic viability of the project. This proof includes a thorough economic analysis, in which the unavoidable costs of fulfilling the TSI are determined. You must demonstrate that these costs would make the project unviable. The analysis shall take into account operating revenue where non-application allows earlier entry into service and the long-term economic viability of the project in the context of the national and European rail system, and/or
- Evidence of the technical details that mean that the full or partial application of one or more TSIs has a negative impact on the technical compatibility of the project with the national rail system.

Voraussetzungen

- One of the 4 cases listed applies to you.

Kosten

The costs depend on the processing time. The hourly rate is EUR 120.00. The rate is EUR 30.00 for every quarter of an hour or part thereof.

Verfahrensablauf

You can apply for an exemption from the full or partial application of the TSI online or by post.

Apply online for an exemption from the full or partial application of the TSI:

- Download the form "Application for exemption from TSI.docx" from the EBA website and complete it in full.

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- Go to the EBA e-Service portal.
- Log in with your user data. If you do not yet have a user account for the e-Service portal, you must register once.
- The application wizard will guide you step by step through the required information. Complete the application form in full.
- Upload the completed form "Application for exemption from TSI.docx" to the e-Service portal and submit the application. The system will confirm receipt.
- You will receive a written confirmation of receipt once the application for exemption has been received, in which you will be informed who the responsible case officer is.
- If, as part of the assessment of the content of the exemption application, it is determined that the information in the application or the evidence submitted is not comprehensible, you will receive written feedback from the EBA asking you to revise the application or the evidence and upload it again to the e-Service portal.
- In the case of numbers 2 and 3, the European Commission will make its decision within 4 months of submission of the application.
- After the assessment and, if applicable, the Commission's decision, you will receive a notification informing you whether the exemption has been approved or rejected
- You will also receive a notification of fees/expenses at the end of the administrative procedure, as you will have to pay fees for the processing of the notification and you will also have to pay any expenses.

Request an exemption from the full or partial application of the TSI by post:

- Download the form "Application for exemption from TSI.docx" from the EBA website and complete it in full.
- Send the signed and fully completed application with the required supporting documents to the EBA by post.
- You will receive a written confirmation of receipt upon receipt of the application for exemption, in which you will be informed who the responsible officer is.
- If the assessment of the content of the application for exemption reveals that the information in the

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	<p>application or the evidence submitted is not comprehensible, you will receive written feedback from the EBA asking you to revise the application or the evidence and send it to the EBA again by post.</p> <ul style="list-style-type: none"> • In the case of number 2 or number 3, the European Commission will make its decision within 4 months of submission of the application. • After the assessment and, if applicable, the Commission's decision, you will receive a notification informing you whether the exemption has been granted or rejected. • You will also receive a notification of fees/expenses once the administrative procedure has been completed, as you will have to pay fees for the processing of the notification and you will also have to pay any expenses.
Bearbeitungsdauer	<p>4 - 8 Monat(e)</p> <p>The processing time depends on whether the information in the application or the evidence to be submitted is complete and comprehensible. If this is not the case, you will be asked to revise the application or the evidence submitted and send it to the EBA again. This will extend the processing time.</p>
Frist	<p>4 Monat(e)</p> <p>The period of 4 months only applies to cases 2 and 3. The reason for this is that in these cases the decision on the requested exemption is made by the European Commission. The period begins with the receipt of the complete application documents by the Commission.</p>
weiterführende Informationen	<p>https://www.eba.bund.de/DE/Themen/Fahrzeugzulassung/Genehmigung_von_Fahrzeugen/Ausnahmen_von_der_Anwendung_der_TSI/ausnahmen_von_der_anwendung_der_tsi_node.html</p>
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Objection Detailed information on how to lodge an objection can be found in the notification.
Kurztext	<ul style="list-style-type: none"> • Exemption from the application of the TSI Authorization • Authorization of a rail vehicle may not be possible due to the application of the Technical Specifications

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for Interoperability (TSI)

- Exemption from application of the TSI for companies possible for projects that are at an advanced stage of development at the time of entry into force of the TSI or are the subject of a contract in the course of implementation projects where the application of the TSI would affect the economic viability of the project or the coherence of the rail system in the Federal Republic of Germany vehicles which are also intended to run in third countries with a track gauge other than the standard gauge an accident, including a terrorist attack or a natural disaster, where rapid restoration of the network is necessary
- Fees: according to hourly expenditure, EUR 120.00 per hour
- Application online or by post
- Processing time: 4 months
- Responsible: Federal Railway Authority (EBA)

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal

Ausnahmen von der Anwendung der TSI
Genehmigung, Ausnahmen von der Anwendung der TSI Genehmigung