



2026/1193

3.6.2026

COMMISSION IMPLEMENTING DECISION (EU) 2026/1193

of 1 June 2026

laying down rules for the application of Directive (EU) 2016/797 of the European Parliament and of the Council as regards a request from France not to apply the requirement to install ETCS on-board of locomotives set out in Commission Implementing Regulation (EU) 2023/1695

(notified under document C(2026) 3501)

(Only the French text is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union ⁽¹⁾, and in particular Article 7(4) thereof,

Whereas:

- (1) On 10 November 2023, France submitted to the Commission a request for non-application of point 7.4.2.3 of Annex I to Commission Implementing Regulation (EU) 2023/1695 ⁽²⁾ to the extension of the area of use for 234 Alstom Traxx locomotives until 31 December 2029 (the 'request'). France completed the documentation of the request on 5 February 2026. The request was submitted on the basis of Article 7(1), point (c), of Directive (EU) 2016/797.
- (2) Point 7.4.2.3 of Annex I to Implementing Regulation (EU) 2023/1695 sets out the requirement that when requesting an extension of the area of use the vehicles that are not equipped with ETCS have to install ETCS.
- (3) The project referred to in the request consists of the extension of the area of use for Alstom locomotives of the following types without prior installation of ETCS: 118 locomotives Traxx DC3 E494 - type ID: 11-278-0009-0-001-001 and 116 locomotives Traxx DC3 E494LM - type ID: 11-278-0008-2-001-001 listed in the Annex to this Decision.
- (4) According to the documents submitted by France, complying with point 7.4.2.3 of Annex I to Implementing Regulation (EU) 2023/1695 would entail an additional cost of EUR 25 100 000, as the manufacturer would have to bear additional costs to increase the ETCS monthly production rate, pay penalties for the delay in obtaining the relevant vehicle authorisation, and lose revenue due to this delay. At the same time, operators would lose revenue by not providing services to Modane-Fourneaux station and would incur costs of renting replacement locomotives.
- (5) As alternative measures, France proposes to apply the Italian Decree No 1/2016 - Regulatory reorganisation, technical standard, rolling stock and on board control-command and signalling subsystems - National technical rules on railway vehicles subsystems relating to the authorisation of the placing into service of vehicles, parameters 12.2.1 and 12.1.2.2 which lay down that vehicles need to use the Italian Class B National Control Command and Signalling system SCMT (the 'SCMT', Train Running Control System - Sistema Controllo Marcia Treno) and that vehicles need to use the GSM-R (Global System for Mobile Communications - Railway) radio. This national rule has been notified to the Commission and to the European Union Agency for Railways pursuant to Article 14(1), point (c), of Directive (EU) 2016/797, under rule prot. ANSF n. 013088/2016.

⁽¹⁾ OJ L 138, 26.5.2016, p. 44, ELI: <http://data.europa.eu/eli/dir/2016/797/oj>.

⁽²⁾ Commission Implementing Regulation (EU) 2023/1695 of 10 August 2023 on the technical specification for interoperability relating to the control-command and signalling subsystems of the rail system in the European Union and repealing Regulation (EU) 2016/919 (OJ L 222, 8.9.2023, p. 380, ELI: http://data.europa.eu/eli/reg_impl/2023/1695/oj).

- (6) The SCMT according to the rule prot. ANSF n. 013088/2016 is installed on the infrastructure until the station Modane. Beyond that station and until Modane-Fourneaux, the operating locomotives will be using the manoeuvring mode with the speed supervision implemented by on-board SCMT (speed limit at 30 km/h). This measure is already applied by Traxx locomotives of the previous generation authorised in the same area of use.
- (7) In addition, the non-application is to be strictly limited to the individual locomotives notified to the Commission by France and included in the Annex to this Decision. France should be allowed to change the precise identification numbers of those vehicles by informing the Commission thereof. Where such a change is made, France should notify it to the Commission without delay.
- (8) Based on the justification for the request provided by France and the alternative provisions proposed, the conditions set out in Article 7(1), point (c), and Article 7(4) of Directive (EU) 2016/797 can be considered as fulfilled for the project of the extension of the area of use for 234 Alstom Traxx locomotives. The request should therefore be accepted.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 51(1) of Directive (EU) 2016/797,

HAS ADOPTED THIS DECISION:

Article 1

The request of France for non-application of point 7.4.2.3 of Annex I to Implementing Regulation (EU) 2023/1695 to the project of the extension of the area of use for 234 Alstom Traxx locomotives is accepted on the condition that the alternative measures proposed by France are applied.

France shall notify the Commission without delay of any changes to the identifiers of the locomotives listed in the Annex.

Article 2

This Decision shall apply until 31 December 2029.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 1 June 2026.

For the Commission
Apostolos TZITZIKOSTAS
Member of the Commission

ANNEX

List of 118 Alstom Traxx DC3 E494 – type ID: 11-278-0009-0-001-001 and 116 Alstom Traxx DC3 E494LM – type ID: 11-278-0008-2-001-001 locomotives relevant to this Decision.

1. Alstom Traxx DC3 E494 - type ID: 11-278-0009-0-001-001

Nr	Id#	EVN
1	E494 001	(91 83 2494 001-7)
2	E494 002	(91 83 2494 002-5)
3	E494 003	(91 83 2494 003-3)
4	E494 004	(91 83 2494 004-1)
5	E494 005	(91 83 2494 005-8)
6	E494 006	(91 83 2494 006-6)
7	E494 007	(91 83 2494 007-4)
8	E494 008	(91 83 2494 008-2)
9	E494 009	(91 83 2494 009-0)
10	E494 010	(91 83 2494 010-8)
11	E494 011	(91 83 2494 011-6)
12	E494 012	(91 83 2494 012-4)
13	E494 013	(91 83 2494 013-2)
14	E494 014	(91 83 2494 014-0)
15	E494 015	(91 83 2494 015-7)
16	E494 016	(91 83 2494 016-5)
17	E494 017	(91 83 2494 017-3)
18	E494 018	(91 83 2494 018-1)
19	E494 019	(91 83 2494 019-9)
20	E494 020	(91 83 2494 020-7)
21	E494 021	(91 83 2494 021-5)
22	E494 022	(91 83 2494 022-3)
23	E494 023	(91 83 2494 023-1)
24	E494 024	(91 83 2494 024-9)
25	E494 025	(91 83 2494 025-6)
26	E494 026	(91 83 2494 026-4)
27	E494 027	(91 83 2494 027-2)
28	E494 028	(91 83 2494 028-0)
29	E494 029	(91 83 2494 029-8)
30	E494 030	(91 83 2494 030-6)
31	E494 031	(91 83 2494 031-4)
32	E494 032	(91 83 2494 032-2)
33	E494 033	(91 83 2494 033-0)
34	E494 034	(91 83 2494 034-8)

Nr	Id#	EVN
35	E494 035	(91 83 2494 035-5)
36	E494 036	(91 83 2494 036-3)
37	E494 037	(91 83 2494 037-1)
38	E494 038	(91 83 2494 038-9)
39	E494 039	(91 83 2494 039-7)
40	E494 040	(91 83 2494 040-5)
41	E494 041	(91 83 2494 041-3)
42	E494 042	(91 83 2494 042-1)
43	E494 043	(91 83 2494 043-9)
44	E494 044	(91 83 2494 044-7)
45	E494 045	(91 83 2494 045-4)
46	E494 046	(91 83 2494 046-2)
47	E494 047	(91 83 2494 047-0)
48	E494 048	(91 83 2494 048-8)
49	E494 049	(91 83 2494 049-6)
50	E494 050	(91 83 2494 050-4)
51	E494 051	(91 83 2494 051-2)
52	E494 052	(91 83 2494 052-0)
53	E494 053	(91 83 2494 053-8)
54	E494 054	(91 83 2494 054-6)
55	E494 055	(91 83 2494 055-3)
56	E494 056	(91 83 2494 056-1)
57	E494 057	(91 83 2494 057-9)
58	E494 058	(91 83 2494 058-7)
59	E494 059	(91 83 2494 059-5)
60	E494 060	(91 83 2494 060-3)
61	E494 061	(91 83 2494 061-1)
62	E494 062	(91 83 2494 062-9)
63	E494 063	(91 83 2494 063-7)
64	E494 064	(91 83 2494 064-5)
65	E494 065	(91 83 2494 065-2)
66	E494 066	(91 83 2494 066-0)
67	E494 067	(91 83 2494 067-8)
68	E494 068	(91 83 2494 068-6)
69	E494 069	(91 83 2494 069-4)
70	E494 070	(91 83 2494 070-2)
71	E494 071	(91 83 2494 071-0)
72	E494 072	(91 83 2494 072-8)
73	E494 073	(91 83 2494 073-6)

Nr	Id#	EVN
74	E494 074	(91 83 2494 074-4)
75	E494 075	(91 83 2494 075-1)
76	E494 076	(91 83 2494 076-9)
77	E494 077	(91 83 2494 077-7)
78	E494 078	(91 83 2494 078-5)
79	E494 079	(91 83 2494 079-3)
80	E494 080	(91 83 2494 080-1)
81	E494 081	(91 83 2494 081-9)
82	E494 082	(91 83 2494 082-7)
83	E494 083	(91 83 2494 083-5)
84	E494 084	(91 83 2494 084-3)
85	E494 085	(91 83 2494 085-0)
86	E494 086	(91 83 2494 086-8)
87	E494 087	(91 83 2494 087-6)
88	E494 088	(91 83 2494 088-4)
89	E494 089	(91 83 2494 089-2)
90	E494 090	(91 83 2494 090-0)
91	E494 091	(91 83 2494 091-8)
92	E494 092	(91 83 2494 092-6)
93	E494 211	(91 83 2494 211-2)
94	E494 212	(91 83 2494 212-0)
95	E494 213	(91 83 2494 213-8)
96	E494 292	(91 83 2494 292-2)
97	E494 293	(91 83 2494 293-0)
98	E494 901	(91 83 2494 901-8)
99	E494 902	(91 83 2494 902-6)
100	E494 903	(91 83 2494 903-4)
101	E494 904	(91 83 2494 904-2)
102	E494 905	(91 83 2494 905-9)
103	E494 906	(91 83 2494 906-7)
104	E494 907	(91 83 2494 907-5)
105	E494 908	(91 83 2494 908-3)
106	E494 909	(91 83 2494 909-1)
107	E494 910	(91 83 2494 910-9)
108	E494 911	(91 83 2494 911-7)
109	E494 912	(91 83 2494 912-5)
110	E494 913	(91 83 2494 913-3)
111	E494 914	(91 83 2494 914-1)
112	E494 915	(91 83 2494 915-8)

Nr	Id#	EVN
113	E494 916	(91 83 2494 916-6)
114	E494 917	(91 83 2494 917-4)
115	E494 918	(91 83 2494 918-2)
116	E494 919	(91 83 2494 919-0)
117	E494 920	(91 83 2494 920-8)
118	E494 921	(91 83 2494 921-6)

2. Alstom Traxx DC3 E494LM - type ID: 11-278-0008-2-001-001

Nr	Id#	EVN
119	E494 501	(91 83 2494 501-6)
120	E494 502	(91 83 2494 502-4)
121	E494 503	(91 83 2494 503-2)
122	E494 504	(91 83 2494 504-0)
123	E494 505	(91 83 2494 505-7)
124	E494 506	(91 83 2494 506-5)
125	E494 507	(91 83 2494 507-3)
126	E494 508	(91 83 2494 508-1)
127	E494 509	(91 83 2494 509-9)
128	E494 510	(91 83 2494 510-7)
129	E494 511	(91 83 2494 511-5)
130	E494 512	(91 83 2494 512-3)
131	E494 513	(91 83 2494 513-1)
132	E494 520	(91 83 2494 520-6)
133	E494 521	(91 83 2494 521-4)
134	E494 522	(91 83 2494 522-2)
135	E494 523	(91 83 2494 523-0)
136	E494 524	(91 83 2494 524-8)
137	E494 525	(91 83 2494 525-5)
138	E494 526	(91 83 2494 526-3)
139	E494 527	(91 83 2494 527-1)
140	E494 528	(91 83 2494 528-9)
141	E494 529	(91 83 2494 529-7)
142	E494 530	(91 83 2494 530-5)
143	E494 531	(91 83 2494 531-3)
144	E494 542	(91 83 2494 542-0)
145	E494 543	(91 83 2494 543-8)
146	E494 551	(91 83 2494 551-1)
147	E494 552	(91 83 2494 552-9)
148	E494 553	(91 83 2494 553-7)

Nr	Id#	EVN
149	E494 554	(91 83 2494 554-5)
150	E494 555	(91 83 2494 555-2)
151	E494 556	(91 83 2494 556-0)
152	E494 557	(91 83 2494 557-8)
153	E494 558	(91 83 2494 558-6)
154	E494 559	(91 83 2494 559-4)
155	E494 560	(91 83 2494 560-2)
156	E494 561	(91 83 2494 561-0)
157	E494 562	(91 83 2494 562-8)
158	E494 563	(91 83 2494 563-6)
158	E494 564	(91 83 2494 564-4)
160	E494 565	(91 83 2494 565-1)
161	E494 571	(91 83 2494 571-9)
162	E494 572	(91 83 2494 572-7)
163	E494 573	(91 83 2494 573-5)
164	E494 574	(91 83 2494 574-3)
165	E494 575	(91 83 2494 575-0)
166	E494 576	(91 83 2494 576-8)
167	E494 577	(91 83 2494 577-6)
168	E494 578	(91 83 2494 578-4)
169	E494 579	(91 83 2494 579-2)
170	E494 580	(91 83 2494 580-0)
171	E494 581	(91 83 2494 581-8)
172	E494 582	(91 83 2494 582-6)
173	E494 583	(91 83 2494 583-4)
174	E494 584	(91 83 2494 584-2)
175	E494 601	(91 83 2494 601-4)
176	E494 602	(91 83 2494 602-2)
177	E494 603	(91 83 2494 603-0)
178	E494 604	(91 83 2494 604-8)
179	E494 605	(91 83 2494 605-5)
180	E494 606	(91 83 2494 606-3)
181	E494 607	(91 83 2494 607-1)
182	E494 608	(91 83 2494 608-9)
183	E494 609	(91 83 2494 609-7)
184	E494 610	(91 83 2494 610-5)
185	E494 611	(91 83 2494 611-3)
186	E494 612	(91 83 2494 612-1)

Nr	Id#	EVN
187	E494 613	(91 83 2494 613-9)
188	E494 614	(91 83 2494 614-7)
189	E494 615	(91 83 2494 615-4)
190	E494 616	(91 83 2494 616-2)
191	E494 617	(91 83 2494 617-0)
192	E494 618	(91 83 2494 618-8)
193	E494 619	(91 83 2494 619-6)
194	E494 620	(91 83 2494 620-4)
195	E494 621	(91 83 2494 621-2)
196	E494 622	(91 83 2494 622-0)
197	E494 623	(91 83 2494 623-8)
198	E494 624	(91 83 2494 624-6)
199	E494 625	(91 83 2494 625-3)
200	E494 626	(91 83 2494 626-1)
201	E494 627	(91 83 2494 627-9)
202	E494 628	(91 83 2494 628-7)
203	E494 629	(91 83 2494 629-5)
204	E494 630	(91 83 2494 630-3)
205	E494 631	(91 83 2494 631-1)
206	E494 632	(91 83 2494 632-9)
207	E494 633	(91 83 2494 633-7)
208	E494 634	(91 83 2494 634-5)
209	E494 635	(91 83 2494 635-2)
210	E494 636	(91 83 2494 636-0)
211	E494 637	(91 83 2494 637-8)
212	E494 638	(91 83 2494 638-6)
213	E494 701	(91 83 2494 701-2)
214	E494 702	(91 83 2494 702-0)
215	E494 703	(91 83 2494 703-8)
216	E494 704	(91 83 2494 704-6)
217	E494 705	(91 83 2494 705-3)
218	E494 706	(91 83 2494 706-1)
219	E494 707	(91 83 2494 707-9)
220	E494 708	(91 83 2494 708-7)
221	E494 709	(91 83 2494 709-5)
222	E494 710	(91 83 2494 710-3)
223	E494 711	(91 83 2494 711-1)
224	E494 712	(91 83 2494 712-9)

Nr	Id#	EVN
225	E494 922	(91 83 2494 922-4)
226	E494 923	(91 83 2494 923-2)
227	E494 924	(91 83 2494 924-0)
228	E494 925	(91 83 2494 925-7)
229	E494 926	(91 83 2494 926-5)
230	E494 927	(91 83 2494 927-3)
231	E494 928	(91 83 2494 928-1)
232	E494 929	(91 83 2494 929-9)
233	E494 930	(91 83 2494 930-7)
234	E494 931	(91 83 2494 931-5)