

# Conditions of Use for Railway Field Laboratory Data

## 1 General

On the section of SBB railway track between Rothenburg and Sempach (approx. track kilometres 80-81), data on noise, vibrations and acceleration of rails, sleepers and ballast is collected from seven measurement cross-sections. This Railway Field Laboratory is operated by Müller-BBM Rail Technologies GmbH on behalf of the Federal government. The resultant data is managed by Müller-BBM Rail and is made available to interested specialists on a central data platform. These Conditions of Use govern the conditions under which the data can be obtained and used.

## 2 Definitions of terms

2.1 DATA: the following data is available:

- a) Basic DATA: information about the measurement cross-sections including the nature and timing of structural changes and maintenance work, and also standard-compliant third-octave band spectra for rail roughness and decay rates
- b) Monthly and annual reports
- c) Weather DATA
- d) Pass-by DATA with measurement values for all trains (spectral, integrated over train pass-bys; technical sound and vibration parameters)
- e) Time signals for the measurands

2.2 Data Owner: the Swiss Confederation (represented by the Swiss Federal Office for the Environment (FOEN) and the Swiss Federal Office of Transport (FOT))

2.3 Data Administrator: Müller-BBM Rail Technologies GmbH (see below for contact)

2.4 Data Recipient: natural person or legal entity that receives access to the DATA.

2.5 Results: results from the use or processing of the DATA.

## 3 Rights of ownership

3.1 The DATA shall remain in the ownership of the Swiss Confederation. The ownership rights shall be exploited by the Swiss Federal Office for the Environment (FOEN) and the Swiss Federal Office of Transport (FOT) respectively.

## 4 Rights of use and obligations of the Data Recipient

4.1 DATA in categories a) and b) is freely available, and may be downloaded by the Data Recipient at <https://fahrbahnlabor.ch>.

4.2 DATA in categories c) and d) may be obtained on request. For this purpose, an email should be written to [fahrbahnlabor@mabbm-rail.com](mailto:fahrbahnlabor@mabbm-rail.com) in which the Data Recipient: (a) provides their contact data; (b) confirms compliance with the Conditions of Use; and (c) specifies the period of interest. The Steering Committee may temporarily exclude selected datasets from publication.

4.3 Time signals for the measurands may also be made available by the Data Administrator; however, this service is provided in return for compensation of outlay. Compliance with the Conditions of Use must also be confirmed in this case.

4.4 The Data Recipient is authorised to use the DATA freely for its/their purposes.

4.5 The DATA must neither be modified nor manipulated.

4.6 The Data Recipient is not authorised to forward the DATA to third parties.

- 4.7 In publications of all types which are based on the DATA, a reference to the data source must be provided in the following form: "Data from the Railway Field Laboratory (or Swiss Railway Field Laboratory, <https://fahrbahnlabor.ch>) was used for this publication. The Railway Field Laboratory is operated by the Swiss Federal Office for the Environment (FOEN) and the Swiss Federal Office of Transport (FOT) together with Swiss Federal Railways (SBB). The author is solely responsible for the content of the publication."
- 4.8 Without being requested to do so, the Data Recipient undertakes to make the Data Owner aware of reports and scientific publications in connection with the DATA no later than 2 weeks after publication thereof, in electronic form ([noise@bafu.admin.ch](mailto:noise@bafu.admin.ch)).
- 4.9 Errors or deficiencies in the DATA must be notified to the Data Owner and the Data Administrator via email ([noise@bafu.admin.ch](mailto:noise@bafu.admin.ch) and [fahrbahnlabor@mbbm-rail.com](mailto:fahrbahnlabor@mbbm-rail.com)).

## 5 Liability

- 5.1 The correctness of the DATA cannot be guaranteed by the Data Owner. The Data Owner declines all liability for any loss or damage that could arise due to the use and processing of the DATA. The Data Recipient undertakes to indemnify the Data Owner in connection with any claims for damages by third parties.

## 6 General provisions

- 6.1 The Data Owner reserves the right to restrict data usage for the Data Recipient if compelling reasons are present. "Compelling reasons" include, in particular, any violation of the Conditions of Use.
- 6.2 If individual provisions of this statement regarding data usage are or should become wholly or partially ineffective, this shall not affect the effectiveness of the other provisions.
- 6.3 These Conditions of Use are governed by **Swiss law**. The place of jurisdiction is **Bern**.

### Contact:

Data Owner: Swiss Federal Office for the Environment (FOEN), Noise and Non-Ionising Radiation (NIR) Division, 3003 Bern, Franz Kuster, [noise@bafu.admin.ch](mailto:noise@bafu.admin.ch), +41 58 462 92 49, [www.laermforschung-eisenbahn.ch](http://www.laermforschung-eisenbahn.ch)

Data Administrator: Müller-BBM Rail Technologies GmbH, Helmut-A.-Müller-Strasse 1-5, D-82152 Planegg, Stefan Lutzenberger, [fahrbahnlabor@mbbm-rail.com](mailto:fahrbahnlabor@mbbm-rail.com), +49 89 856020, [www.fahrbahnlabor.ch](http://www.fahrbahnlabor.ch)

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