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NOTE

from:	Council General Secretariat
to:	Delegations
No. prev. doc. :	12019/09 TRANS 284 TELECOM 155 IND 85 CODEC 972
No. Cion prop. :	17564/08 TRANS 493 TELECOM 238 IND 236 CODEC 1896
Subject :	Proposal for a Directive of the European Parliament and of the Council laying down the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other transport modes

Delegations will find attached a revised version of above proposal in the light of discussions of the Working Party of 9 and 14 September 2009.

New text is indicated in **bold** and deleted text in ~~strikethrough~~.

Scrutiny reservation: All delegations.

Reservation: Commission.

Parliamentary scrutiny reservation: MT and UK.

ANNEX

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

laying down the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other transport modes

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 71(1) thereof,

Having regard to the proposal from the Commission[1],

Having regard to the opinion of the European Economic and Social Committee[2],

Having regard to the opinion of the Committee of the Regions[3],

Acting in accordance with the procedure laid down in Article 251 of the Treaty

Whereas:

(1) The increase of road transport associated with the growth of the European economy and with the mobility requirements of the citizens is a primary cause of increasing congestion of the road infrastructure and energy consumption, as well as environmental and social problems.

(2) The response to those major challenges cannot be limited to traditional measures including, notably, the expansion of the existing road transport infrastructure. Innovation will have a major role to play in finding appropriate solutions for the Community.

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1 OJ C , , p. .
2 OJ C , , p. .
3 OJ C , , p. .

(3) **Intelligent Transport Systems (ITS) integrate telecommunications, electronics and information technologies with transport engineering in order to plan, design, operate, maintain and manage transport systems.** The application of information and communication technologies to the road transport sector and its interfaces with other transport modes (ITS) will make a significant contribution to improving environmental performance, efficiency, including energy efficiency, safety and security of road transport, **public security,**[4] ~~and~~ passenger and freight mobility whilst at the same time ensuring the functioning of the internal market and increased levels of competitiveness and employment.

(4) Advances in the application of information and communication technologies to other transport modes should now be reflected in developments in the road transport sector, in particular with a view to ensuring higher levels of integration in that field between road transport and other transport modes.

(5) In some Member States national applications of these technologies are already being deployed in the road transport sector, but such deployment remains fragmented and uncoordinated and cannot provide geographical continuity of ITS services throughout the Community.

(6) To ensure a coordinated and effective deployment of ITS within the Community as a whole, common specifications**, including, where appropriate, standards,** defining further detailed provisions and procedures should be introduced. In the first instance, priority should be given to four main areas of ITS development and deployment. **During further implementation of ITS the existing ITS infrastructure put in place by a particular Member State should be taken into account in terms of technological progress and financial efforts.**

(7) The common specifications should inter alia take into account and build upon the experience and results already obtained in this area, notably in the context of the eSafety initiative[5], launched by the Commission in April 2002. The eSafety Forum has been established by the Commission under that initiative to promote and further implement recommendations to support the development, deployment and use of eSafety systems.

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[4] Scrutiny reservation: PL.

[5] http://www.esafetysupport.org/download/European_Commission/048-esafety.pdf.

(8) ITS should build on interoperable systems based on open and public standards, available on a non-discriminatory basis to all application and service suppliers and users.[6]

(9) The deployment and use of ITS applications and services will entail the processing of personal data. Such processing should be carried out in accordance with Community rules, as set out, *inter alia,* in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data[7] and in Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector[8].

(10) The deployment and use of ITS applications and services, and notably traffic and travel information services, will entail the processing and use of road, traffic and travel data forming part of documents held by public sector bodies of the Member States. Such processing and use should be carried out in accordance with Community rules, as set out in Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information.[9]

(11) Directive 2007/46/EC[10] establishes a framework for the type approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, whilst Directives 2002/24/EC[11] and 2003/37/EC[12] relate to the type approval of two or three-wheel motor vehicles and agricultural or forestry tractors, their trailers and interchangeable towed machinery respectively. Although the provisions in these Directives cover ITS-related equipment installed in vehicles, they do not apply to external road infrastructure ITS equipment and software, which should accordingly be covered by national type approval procedures.

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6 IT proposed to add the following text: " The deployment of ITS application and services should be based on a cost benefit analysis in order to avoid any commercial negative impact affecting the market."

7 OJ L 281, 23.11.1995, p. 31.
8 OJ L 201, 31.7.2002, p. 37.
9 OJ L 345, 31.12.2003, p.90.
10 OJ L 263, 09.10.2007, p. 1.
11 OJ L 124, 09.05.2002, p. 1.
12 OJ L 171; 09.07.2003, p. 1.

(12) For ITS applications and services for which accurate and guaranteed timing and positioning services are required, satellite-based infrastructures or any technology providing an equivalent level of precisions should be used[13].

(12a) Innovative technologies such as Radio Frequency Identification Devices (RFID) or Galileo/EGNOS should be used for the realisation of ITS applications, notably for the tracking and tracing of freight along its journey and across modes.

(13) Major stakeholders such as ITS service providers, associations of ITS users, transport and facilities operators, representatives of the manufacturing industry, social partners, professional associations and local authorities should have the possibility to advise the Commission on the commercial and technical aspects of the deployment of ITS within the Community. **For this purpose the Commission, ensuring close cooperation with stakeholders and Member States, should set up an ITS advisory group.**

(14) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.[14]

(15) In particular the Commission should be empowered to adopt measures concerning the amendment of the Annexes and measures laying down more detailed specifications for the development, implementation and use of interoperable ITS. Since those measures are of general scope and are designed to amend non-essential elements of this Directive, *inter alia* by supplementing it with new non-essential elements they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

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[13] See Council Regulation N°1/2005 of 22 December 2004, OJ L 3, 5.1.2005, p.1 and Regulation (EC) No 683/2008 of the European Parliament and of the Council of 9 July 2008, OJ L 196, 24.7.2008, p. 1.

[14] OJ L 184, 17.7.1999, p. 23.

(16) In order to guarantee a coordinated approach, the Commission should ensure coherence between the activities of the Committee established by this Directive and those of the Committee established by Directive 2004/52/EC of the European Parliament and of the Council of 29 April 2004 on the interoperability of electronic road toll systems in the Community[15], the Committee set up by Council Regulation (EEC) (No) 3821/85 on recording equipment in road transport[16], and the Committee of Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles[17].

(17) Since the objective of this Directive, namely to ensure the coordinated deployment of interoperable ITS throughout the Community, cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and effects, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,

(18) In accordance with paragraph 34 of the Inter-institutional Agreement on better law-making, Member States are encouraged to draw up, for themselves and in the interest of the Community, their own tables, which will, as far as possible, illustrate the correlation between this Directive and their transposition measures, and to make those tables public.[18]

HAS ADOPTED THIS DIRECTIVE:

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15 OJ L 166, 30.04.2004, p. 124.
16 OJ L 370, 31.12.1985, p. 8.
17 OJ L 263, 9.10.2007, p. 1.
18 CION: Reservation on recital 18.

Article 1

Subject matter and scope[19] [20]

This Directive establishes a framework ~~for the~~ **in support of** the coordinated deployment and use of intelligent transport systems (ITS) within the Community ~~with the aim to achieve compatibility, interoperability and continuity of ITS services and the development of the specifications necessary for that purpose~~.[21] [22]

It provides for :

- **the development of the specifications and, where appropriate, standards necessary to achieve to compatibility, interoperability and continuity of Intelligent Transport Systems (ITS) services in the priority areas referred to in Article 1a(new) and in the priority actions referred to in Article 1b(new);**
- **the mandatory use of these specifications and, where appropriate, standards when ITS applications and services are deployed;**

It shall apply to ~~intelligent transport systems~~ **ITS applications and services** in the field of road transport and **to their** interfaces with other transport modes.

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[19] Reservation: AT, DE, DK, IE, NL, PT and UK. These delegations expressed concerns on the mandatory deployment of ITS in Member States.

[20] DE supported by AT, BE, IE, and NL proposed the following alternative text for the first paragraph of Article 1:
"This Directive establishes a framework **to ensure interoperability and compatibility of the intelligent transport systems (ITS) deployed in the Member States of the Community to set out the general conditions** necessary for that purpose"

[21] Scrutiny reservation: PL and SI preferred that interoperability related to ITS should be limited to the TEN-T networks in a first stage.

[22] AT, supported by DK and PT, requested a reference to existing systems.

Article 1a (new)

Priority areas[23] [24]

For the purpose of this Directive the following shall ~~be considered to~~ constitute priority areas for the ~~deployment~~ **development** and use of **specifications and standards** ~~ITS~~:

(a) optimal use of road, traffic and travel data;

(b) continuity of traffic and freight management ITS services [on European Transport Corridors and in conurbations][25];

(c) safety and security of the road transport system;[26]

(d) ~~integration of~~ **linking** the vehicle ~~into~~ **with** the transport infrastructure.[27]

Article 1b (new)

Priority actions

For the purpose of this Directive the following shall constitute priority actions for the development and use of specifications and standards:

[a) the provision of EU-wide real time traffic and travel information services

b) data and procedures for the provision of free minimum universal traffic information services.

c) the harmonised introduction of eCall throughout Europe.

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[23] Reservation: DE.

[24] FR, supported by DK, IT and PT suggested to define the scope of each priority area in Annex II.

[25] DE, DK and FI proposed to delete the text between brackets. PL suggested to change "European Transport Corridors" to "TEN-T networks".

[26] DE supported by BE, IE, NL, PL and SK propsed the following alternative text for (c): "safety and **IT-**security **in road transport".**

[27] Scrutiny reservation: CION.

d) appropriate measures on secure parking places for trucks and commercial vehicles and on telematics-controlled parking and reservation systems]

Article 2

Definitions

For the purposes of this Directive, the following definitions shall apply:

(a) "Intelligent Transport Systems (ITS)" means systems, in which information and communication technologies are applied, in the field of road transport (including infrastructure, vehicles and users) and with the interfaces to other transport modes;

(b) "interoperability" means the capacity of systems, and of the underlying business processes, to exchange data and to share information and knowledge;

(c) "ITS application" means an operational instrument for the application of ITS;

(d) "ITS service" means the provision of an ITS application through a well-defined organisational and operational framework with the aim of contributing to the user safety, efficiency, comfort and/or to facilitate or support transport and travel operations;

(e) "ITS service provider" means any provider of an ITS service, whether public or private;

(f) "ITS user" means any user of ITS applications or services including travellers, road transport infrastructure users and operators, fleet managers and operators of emergency services;

(g) "nomadic device" means a portable communication or information device that can be brought inside the vehicle to support the driving task and/or the transport **operations**[28];

[28] Scrutiny reservation: PL.

(h) "platform" means a**n on-board or off-board** unit ~~the encompassing functional, technical and operational environment~~ enabling the deployment, provision**,** ~~or~~ exploitation and integration of ITS applications and services;[29]

(hh) "architecture" means the conceptual design that defines the structure, the behaviour and the integration in its surrounding context of a given system;

(i) "interface" means a facility between systems which provides the media through which they can connect and interact;

(j) "compatibility" means the general ability of a device or system to work with another device or system without modification; [30]

(k) "continuity of services" means the ability to ensure seamless services across the Community, on transport networks linking countries with countries, regions with regions and cities with rural areas;[31]

(l) "road data" means data on road infrastructure characteristics, including fixed traffic signs;[32]

(m) "traffic data" means historic and real-time data on road traffic flow characteristics;

(n) "travel data" means basic data (such as timetables of public transport and tariffs) necessary to provide multi-modal travel information before and during the trip to facilitate travel planning, booking and adaptation.

(o) "specification" means binding measures laying down provisions containing requirements, procedures or any other relevant rules.

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29 Scrutiny reservation: PL. DK suggested to replace the term "platform" by "architecture".
30 Scrutiny reservation: PT.
31 Scrutiny reservation: PL.
32 Reservation: FR. FR proposed to replace "fixed traffic signs" with "regulatory safety attributes".

Article 3

Deployment of ITS[33] [34]

1. ~~When deploying ITS applications and services~~ [35] [36] **When ITS applications and services are deployed**, Member States shall take the necessary measures to ensure[37] their coordinated deployment and interoperable use in accordance with the specifications referred to in Article 4, **[and where appropriate, standards referred to in Article 4a (new)]** and in compliance with the principles in Annex I.

[…]

3. Member States shall also make efforts to co-operate in respect of the priority areas referred to in Article 1a insofar as no specifications referred to in Article 4 have been adopted. [38] [39]

~~3. For the purposes of ITS applications and services that require global, continuous, accurate and guaranteed timing and positioning services, satellite-based infrastructures, or any technology providing equivalent levels of precision shall be used.~~ [40]

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[33] Scrutiny reservation: IE, SI and UK.
Reservation: CION.

[34] DE proposed the following alternative text for Article 3:
"**1. Member States shall cooperate in the deployment of ITS within the scope of their national capabilities including financial capacity and obtainable European co-financing.**
2. When deploying and using ITS applications and services, Member States shall take the necessary measures to ensure **their interoperability and compatibility within the Community**.
3. When adopting measures as provided for in paragraphs 1 and 2, Member States shall be guided by the principles set out in Annex I.
4. Member States shall also make efforts to co-operate in respect of the priority areas referred to in Article 1a insofar as no specifications referred to in Article 4 have been adopted."

[35] In case of acceptance of the proposed introductory words, recital 6 will be modified accordingly.

[36] Reservation: CION. Scrutiny reservation: FI, FR and IT. FR and IT suggested to consider the mandatory deployment of certain ITS applications and services.

[37] AT, DE, DK, ES, IE, LV and NL suggested to replace "ensure" by "enable".

[38] CION stated that its coordination role on this matter is referred to in Articles 155 and 156 of the Treaty.

[39] Scrutiny reservation: PL.

[40] Scrutiny reservation: IT (on the deletion).

Article 4

Specifications [41]

1. The Commission shall define specifications ensuring the compatibility, interoperability and continuity for the deployment and operational use of ITS[42] in the priority ~~areas~~ **actions** referred to in Article 1~~a~~ **b**(new).

2. Only when the specifications for the priority actions have been established the Commission shall define specifications ensuring the compatibility, interoperability and continuity for the deployment and operational use of ITS in the priority areas referred to in Article 1a (new).

3. These specifications shall , where appropriate, build upon the standards referred to in Article 4a (new).

[43]

In particular, these specifications shall include specific detailed provisions relating to functional, technical and/or organisational issues;

Where relevant, and depending on the area of the specification, the specification may include different functions:

- **functional provisions: describing the roles of the various stakeholders and the information flow between them**
- **technical provisions: providing the technical means to fulfil the functional specifications**
- **organisational provisions: describing procedural obligations for the various stakeholders**
- **[deployment provisions : describing the concrete scenario to apply in order to deploy ITS applications and services]**

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41 Reservation: AT, CY, DE, IE, PT and UK. In this context the CION presented a non-paper clarifying the interplay between standards and specifications. DE presented a proposal supplementing specifications with standards (see W. doc. 2009/44).

42 NL proposed to insert a reference to "public authorities".

43 FR presented a proposal further describing the content of specifications (see W.doc. 2009/45).

4. The specifications shall be based on the principles set out in Annex I and the core elements set out in Annex II.[44]

5. These measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 8(2).

Article **4a (new)**

Standards

1. The necessary standards to provide for interoperability, compatibility and continuity for the deployment and operational use of ITS shall be developed in the priority areas referred to in Article 1a (new) and in the priority actions referred to in Article 1b (new). To that effect, the European Commission, after having consulted the committee referred to in Article 8, shall ask the relevant standardisation bodies in accordance with the procedure laid down by Directive 98/34/EC to make every necessary effort rapidly to adopt these standards.

2. When issuing a mandate to the standardisation bodies, the principles set out in Annex I shall be observed and the standardisation process shall include at least the core elements set out in Annex II.

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[44] IT proposed the following text to be added to this paragraph: "Before defining any specifications, the Commission shall assess the compliance of each ITS application with the principles set out in Annex I."

[Article 4b (new)

Non-binding measures[45]

The Commission may adopt guidelines and other non-binding measures to facilitate Member States' co-operation relating to the priority areas referred to in Article 1 (a) in accordance with the procedure referred to in Article 8 (3).]

Article 5

Type-approval of road infrastructure related ITS equipment and software[46] [47]

1. Where necessary for efficiency, including energy efficiency, safety or security, or environmental protection reasons**,** road infrastructure related ITS equipment and software applications falling outside the scope of Directives 2002/24/EC, 2003/37/EC and 2007/46/EC, shall be type-approved before being put into service.[48]

2. Member States shall notify to the Commission the national bodies responsible for the type-approval of ITS equipment and software applications covered by this Directive. The Commission shall communicate such information to the other Member States.[49]

3. All Member States shall recognise type-approvals[50] issued by the national bodies of the other Member States referred to in paragraph 2.[51]

[52]

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45 Reservation: CION. Scrutiny reservation: PL, SI and UK. SI suggested to delete the square brackets.

46 FR, supported by PL, proposed to modify the title as follows: "Type-approval of ITS equipment related to road infrastructure."

47 Reservation: DE.

48 AT, DK, IE, IT, NL, PL, PT and UK requested further clarification on the procedures related to type-approval.

49 DE proposed to add the following phrase: "Type-approval certificate shall refer to compliance with the standards and specifications referred to in Article 4."

50 DE proposed to insert the term "certificate".

51 Scrutiny reservation: ES, PT and UK.

52 FR, supported by ES, suggested the following text as Article 5a (new).
"The specifications in Article 4 shall determine the general rules for providing ITS services in Europe for each category of service; they shall in particular stipulate the content of services and service providers' obligations. The specifications shall also stipulate the conditions in which Member States may, in liaison with the Commission, impose additional rules for the

Article 6

Rules on privacy, security and re-use of information[53]

1. Member States shall ensure that the processing of personal data in the context of the operation of ITS is carried out in accordance with the Community rules protecting the freedoms and fundamental rights of individuals, in particular Directives 95/46/EC and 2002/58/EC.

2. In particular, Member States shall ensure that ITS data[54] and records are protected against misuse, including unlawful access, alteration or loss.

3. Directive 2003/98/EC[55] shall apply.

[…]

Article 8

Committee procedure[56]

1. The Commission shall be assisted by the European ITS Committee (EIC), hereafter referred to as "the Committee".[57]

2. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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provision of these services on all or part of their territory. The specifications shall specify the organisation which shall be set up by the Commission to ensure that Member States cooperate properly in controlling how these rules are applied, in particular the conditions in which information will be exchanged between them and the Commission."

53 Scrutiny reservation: AT (on grounds of data protection). AT and ES requested to insert the text proposed by the European Data Protection Supervisor (ST doc. 12479/09).

54 IE and PT requested a clarification of the term "ITS data".

55 OJ L 345, 31.12.2003, p. 90.

56 Reservation: AT, DE, DK, IE, NL, PL, PT and UK.

57 DE supported by AT proposed to align this paragraph with their proposal on Article 4 (see W. doc. 2009/44).

[3. Where reference is made to this paragraph, Article 3 and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.][58]

Article 9

European ITS Advisory Group[59] [60]

The Commission shall[61] establish a European ITS Advisory Group to advise it on business and technical aspects of the deployment and use of ITS in the Community. The group shall be composed of high level representatives from relevant ITS service providers, associations of users, transport and facilities operators, manufacturing industry, social partners, professional association, local authorities and other relevant fora.

Article 10

Reporting[62]

1. Member States shall submit to the Commission by *[six months after the entry into force of this Directive*] at the latest a report on their national activities and projects regarding the priority areas laid down in Article 1(a)

2. Member States shall provide to the Commission by *[two years after the entry into force of this Directive]* at the latest information on national ITS actions envisaged over the following five years.

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58 Reservation: CION.

59 Following requests by FI and IT recital 13 was modified to further the specify work of the ITS Advisory group and its relation to the Commission and the committee.

60 DE proposed the following text for this article: " The Commission shall establish a European ITS Advisory Group to advise it **in identifying strategies for ITS development and setting priorities for the standardisation process in accordance with Article 4**. The group shall be composed **of representatives of the Member States** and high level representatives from relevant ITS service providers, associations of users, transport and facilities operators, manufacturing industry, social partners, professional association, local authorities and other relevant fora."

61 ES and SI proposed to replace "shall" by "may".

62 Scrutiny reservation: DE, DK FR, IE, NL, PL, PT and UK.

Guidelines for reporting by the Member States shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 8(2).

3. Member States shall report every **[**~~two~~ **three]** years thereafter on the progress made in the deployment of these actions.

4. The Commission shall report every two years to the European Parliament and to the Council.[63]

Article 11

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by *[24 months after entry into force of this Directive]* at the latest.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference, and its wording, shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.[64]

Article 12

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

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[63] FR proposed to add the following text: "In accordance with the advisory procedure referred to in Article 8, paragraph 3, the Commission shall adopt a working programme, six months at the latest after this directive comes into force. This working programme shall include objectives and dates for implementing this programme every year and if necessary shall propose the necessary adaptations."

[64] Reservation: CION.

Article 13

Addressees

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

The President

PRINCIPLES FOR THE SPECIFICATIONS AND DEPLOYMENT OF ITS AS REFERRED TO IN ARTICLE 3 AND ARTICLE 4

The definition of specifications, selection and deployment of ITS applications and services shall be based upon an evaluation of needs involving all relevant stakeholders, and shall respect the following principles:

(a) **Effectiveness** – the ability to make a tangible contribution towards solving the key challenges affecting road transportation in Europe (e.g. reducing congestion, lowering of emissions, improving energy efficiency, attaining higher levels of safety and security including vulnerable road users);

(b) **Cost-efficiency** – the ratio of costs in relation to output with regard to meeting objectives, taking into account the local, regional, national and European specificities;

(c) **Continuity of services** - the ability to ensure[65] seamless services across the Community**, between those Member States deploying such services**, **at a level adapted to the characteristics of the** ~~on~~ transport networks linking countries with countries, regions with regions and cities with rural areas;[66]

(d) **Interoperability** – the capacity of systems, and of the underlying business processes, to exchange data and to share information and knowledge, also with existing systems without hindering the development of new technologies;

(e) **Degree of maturity** – robustness of innovative ITS systems **demonstrated** ~~validated~~, **after appropriate risk assessment, through a sufficient level of technical development and operational exploitation** ~~through technical and operational tests before put into operation~~[67];

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[65] IE suggested to replace "ensure" by "enable or provide".
[66] Scrutiny reservation: PT and SI.
[67] Scrutiny reservation: AT.

(f) **Quality of timing and positioning -** the use of satellite-based infrastructures, or any technology providing equivalent[68] levels of precision for the purposes of ITS applications and services that require global, continuous, accurate and guaranteed timing and positioning services**;**

(g) **Inter-modality –** the need to take into account **the coordination of various modes of transport,** where appropriate, when deploying ITS.

[68] ES suggested to replace "equivalent" by "sufficient".

CORE ELEMENTS OF THE SPECIFICATIONS **AND STANDARDS**
AS REFERRED TO IN ARTICLE 4 **AND ARTICLE 4a(new)**

(1) Optimal use of road, traffic and travel data

The specifications **and standards** for an optimal use of road, traffic and travel data shall include the following.

(a) The definition of the necessary requirements to make real-time traffic and travel information accurate and available across borders to ITS users, based on:

- The availability and accessibility of [69]accurate public road and real-time traffic data used for real-time traffic and travel information to ITS service providers without prejudice to safety and transport management constraints[70]

- The facilitation of the electronic exchange between the relevant public authorities and stakeholders and the relevant ITS service providers, across borders

- The timely updating of [71]public road and traffic data used for real-time traffic and travel information[72] by the relevant public authorities and stakeholders

- The timely updating of real-time traffic and travel information by the ITS service providers[73]

[69] NL proposed to insert "existing".
[70] Scrutiny reservation: DE.
[71] FR supported by CZ proposed to insert "available".
[72] NL requested the deletion of the term "travel".
[73] NL requested the deletion of this indent.

(b) The definition of the necessary requirements for the collection by relevant public authorities of road and traffic data (i.e. traffic circulation plans, traffic regulations and recommended routes[74], notably for heavy goods vehicles) and for their provisioning to ITS service providers, based on: [75]

- The availability of [76]public road and traffic data (i.e. traffic circulation plans, traffic regulations and recommended routes) collected by the relevant public authorities to ITS service providers

- The facilitation of the electronic exchange between the relevant public authorities and the ITS service providers

- The timely updating of public road and traffic data (i.e. traffic circulation plans, traffic regulations and recommended routes) by the relevant public authorities

- The timely updating of the ITS services and applications using this public road and traffic data by the ITS service providers[77]

(c) The definition of the necessary requirements to make public road and traffic data used for digital maps accurate and available**,** where possible**,** to digital map producers and service providers, based on:

- The availability of [78]public road and traffic data used for digital maps to digital map producers and service providers

- The facilitation of the electronic exchange between the relevant public authorities and stakeholders and the private digital map producers and providers

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74 NL supported by PT requested to delete the reference to "recommended routes for heavy goods vehicles".
75 Reservation: DE.
76 NL proposed to insert "existing".
77 NL requested the deletion of this indent.
78 NL proposed to insert "existing".

- The timely updating of public road and traffic data for digital maps by the relevant public authorities and stakeholders

- The timely updating of the digital maps by the digital maps producers and service providers

(d) The definition of minimum requirements for the free provision**,** where possible**,** of "universal traffic messages" to all road users, as well as their minimum content, based on:

- The use of a standardised list of safety related traffic events ("universal traffic messages") which should be communicated to ITS users free of charge

- The compatibility of and the integration of "universal traffic messages" into ITS services for real-time traffic and travel information

(2) Continuity of traffic and freight management ITS services [on European Transport Corridors and in conurbations]

The specifications **and standards** for the continuity and interoperability of the traffic and freight management services **[**and on European transport corridors and in conurbations**]** shall include the following:

(a) the definition of the minimum necessary requirements for the continuity of ITS services for the management of passenger transport and freight along transport corridors and across different modes, based on:

- The facilitation of the electronic exchange for traffic data and information across borders, regions, or between urban and inter-urban areas between the relevant traffic information/control centres and different stakeholders

- The use of standardised information flows or traffic interfaces between the relevant traffic information/control centres and different stakeholders

(b) The definition of the necessary measures[79] in the realisation of ITS applications (notably the tracking and tracing of freight along its journey and across modes) for freight transport logistics (eFreight), based on:

- The availability of relevant ITS technologies to and their use by ITS application developers[80]

- The integration of localisation results in the traffic management tools and centres

(c) The definition of the necessary measures to develop an ITS architecture for urban mobility[81] including an integrated and multi-modal approach for travel planning, transport demand and traffic management, based on:

- The availability of [82]public transport, travel planning, transport demand, traffic data and parking data to urban control centres **and service providers**

- The facilitation of the electronic data exchange between the different urban control centres **and service providers** for public or private transport and through all possible transport modes

- The integration of all relevant data and information in a single architecture

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79 See modifications in recital 12.
80 FI requested a clarification on the meaning of this indent.
81 DE supported by CZ requested to delete the reference to urban mobility.
82 NL suggested to insert "existing".

(3) Safety and security of the road transport system

The specifications **and standards** for ITS road safety and security applications shall include the following**:**

(a) The definition of the necessary measures for the harmonised introduction of ~~pan~~ **an** interoperable EU-wide eCall, including:

- The availability of the required in-vehicle ITS data to be exchanged

- The availability of the necessary equipment in the road infrastructure (rescue) centres [(Public **Safety Answering** Points)][83] receiving the data emitted from the vehicles

- The facilitation of the electronic data exchange between the vehicles and the road infrastructure (rescue) centres [(Public **Safety Answering** Points)]

(b) The definition of the necessary measures to ensure the safety of road users with respect to their on-board Human-Machine-Interface and the use of nomadic devices **to support the driving task and/or the transport operation**, as well as the security of the in-vehicle communications[84]

(c) The definition of the necessary measures to ensure the safety and comfort of vulnerable road users (e.g. pedestrians and cyclists) **and persons with reduced mobility and orientation** for all ITS applications

(d) The definition of the necessary measures to provide ITS based information and reservation systems for secure parking places for trucks and commercial vehicles based on:

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83 Scrutiny reservation: FR.

84 DE requested a reference to the "Human-Machine-Interface catalogue" (European Statement of principles recommended by the Commission; C (2006) 7125).

- The availability of the road parking information to the users

- The facilitation of the electronic data exchange between road parking sites, centres and the vehicles[85]

- The integration of relevant ITS technologies in both vehicles and parking road facilities to update the information on available parking space for reservation purposes

(e) The definition of necessary measures to integrate advanced driver assistance systems into vehicles and road infrastructure which fall outside the scope of Directives 2007/46/EC, 2002/24/EC and 2003/37/EC

(4) Integration of the vehicle into the transport infrastructure[86]

The specifications **and standards** for ITS for integration of the vehicle into the transport infrastructure shall include the following:

(a) The definition of necessary measures to integrate different ITS applications on an open in-vehicle platform, based on:

- The identification of functional requirements of existing or planned ITS applications

- The definition of an open-system architecture that guarantees the interoperability/interconnection with infrastructure systems and facilities

[85] NL requested the deletion of this indent.

[86] AT, DE, NL and PT raised concerns on the potential risks for hindering innovation and development.

- The integration of future new or upgraded ITS applications in a "plug and play" manner into an open in-vehicle platform

- The use of standardisation process to adopt the architecture, and the open in-vehicle specifications[87]

(b) The definition of necessary measures to further progress the development and implementation of cooperative (vehicle-vehicle, vehicle-infrastructure, infrastructure-infrastructure) systems, based on:

- The facilitation of the exchange of data and information between vehicle and vehicle, vehicle and infrastructure, infrastructure and infrastructure

- The availability to the respective parties (vehicle or road infrastructure) of the relevant data or information to be exchanged

- The use of a standardised message format for this exchange of data between the vehicle and the infrastructure

- The definition of an communication infrastructure for each type of exchange (V2V, V2I, I2I)

- The use of standardisation processes to adopt the respective architectures

[87] FR and PT raised concerns on methodology aspects and potential financial consequences.

~~ANNEX III TO ANNEX~~

~~GUIDELINES FOR THE CONTENT OF REPORTS ON NATIONAL ITS ACTIONS REFERRED TO IN ARTICLE 10~~

~~(1) The reports with regard to the priority areas laid down in Article 4(1) provided by the Member States according to Article 10 shall cover the national level. They can however be extended to the regional and/or selected local level, if relevant.~~

~~(2) The report to be provided according to Article 10 (1) shall include, at least, the following information:~~

~~(a) the current national strategy with regard to ITS~~

~~(b) its objectives and their underlying rationale~~

~~(c) a brief description of the status of ITS deployment and framework conditions~~

~~(d) priority areas for current actions and related measures~~

~~(e) an indication as to how this strategy and these actions or measures support the coordinated and interoperable deployment of ITS applications and continuity of services in the Community (see Article 4(1)).~~

~~(3) The report to be provided according to Article 10 (2) shall include, at least, the following information:~~

~~(a) the national strategy with regard to ITS, including its objectives~~

~~(b) a detailed description of ITS deployment and framework conditions~~

~~(c) the planned priority areas for actions and related measures, including an indication on how these tackle the priority areas laid down in Article 4(1)~~

~~(d) details on the implementation of current and planned actions as regards~~

- ~~Instruments~~
- ~~Resources~~
- ~~Consultation and active stakeholders~~
- ~~Milestones~~
- ~~Monitoring~~

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