

Road transport: framework for the deployment of intelligent transport systems and for interfaces with other transport modes

2008/0263(COD) - 18/05/2010 - Commission communication on Council's position

The position of the Council has **slightly modified the initial Commission proposal**. Taking into account the amendments proposed by the European Parliament, it has clarified the scope of the Directive by specifying the priority areas and by focusing, in the first instance, on **six priority actions** for the development and use of specifications to be adopted by the Commission. The Council position has also reinforced the importance, in the context of ITS deployment, of protection of personal data and of liability issues, as underlined by the European Parliament and in the opinion of the European Data Protection Supervisor.

With the slight modifications as compared to the initial proposal of the Commission, the Council position in 1st reading reflects the agreement reached between the institutions and confirmed by an exchange of letters between the president of Coreper I and the chair of the Transport and Tourism committee of the European Parliament in March 2010.

The Commission considers that this agreement is fully in line with the objective of its proposal, and **therefore can support it**.

The agreement sets out three Commission statements and one statement by the three institutions:

(1) The deployment of ITS priority actions: the Commission shall aim at adopting specifications for one or more of the priority actions by 30 months following the date of entry into force of this Directive. At the latest 12 months after the adoption of the necessary specifications for a priority action, the Commission shall, where appropriate, after conducting an impact assessment including a cost-benefit analysis, present a proposal to the European Parliament and the Council in accordance with Article 294 of the TFEU on the deployment of that priority action. On the basis of the information currently available, the Commission takes the view that for the adoption of the necessary specifications for the priority actions, the following indicative time table could be envisaged: specifications for:

- the provision of EU-wide multimodal travel information services as set (no later than 2014);
- the provision of EU-wide real-time traffic information services (no later than 2013);
- the data and procedures for the provision, where possible, of road safety related minimum universal traffic information free of charge to users (no later than 2012);
- the harmonised provision for an interoperable EU-wide eCall (no later than 2012);
- the provision of information services for safe and secure parking places for trucks and commercial vehicles (no later than 2012);
- the provision of reservation services for safe and secure parking places for trucks and commercial vehicles (no later than 2013).

This indicative timetable is based upon the assumption that agreement on the ITS Directive between the EP and the Council is reached through early second reading at the beginning of 2010.

(2) Liability: the deployment and use of ITS applications and services may raise a number of liability issues that can be a major barrier to wide market penetration of some ITS services. Addressing these issues constitutes one of the priority actions put forward by the Commission in its ITS Action Plan.

Taking into account existing national and Community legislation on liability, and notably Directive 1999/34/EC, the Commission will carefully monitor the developments in the Member States concerning the deployment and use of ITS applications and services. If necessary and appropriate, the Commission will elaborate guidelines on liability, notably describing the stakeholders' obligations in relation to the implementation and use of ITS applications and services.

(3) Notification on delegated acts: the European Commission takes note that except in cases where the legislative act provides for an urgency procedure, the European Parliament and the Council consider that the notification of delegated acts shall take into account the periods of recess of the institutions (winter, summer and European elections), in order to ensure that the European Parliament and the Council are able to exercise their prerogatives within the time limits laid down in the relevant legislative acts, and is ready to act accordingly.