

# **Interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union. Recast**

2017/0128(COD) - 29/03/2019 - Final act

**PURPOSE:** to ensure the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union.

**LEGISLATIVE ACT:** Directive (EU) 2019/520 of the European Parliament and of the Council on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union.

**CONTENT:** the Directive lays down the conditions necessary to:

- ensure the interoperability of electronic road toll systems on the entire Union road network, urban and interurban motorways, major and minor roads, and various structures, such as tunnels or bridges, and ferries; and

- facilitate the cross-border exchange of vehicle registration data regarding the vehicles and the owners or holders of vehicles for which there was a failure to pay road fees of any kind in the Union.

The Directive shall not prevent Member States from levying charges on particular types of vehicles, or from determining the level of such fees and their purpose.

## ***Technological solutions***

The amended directive provides that all new electronic road toll systems that require the installation or use of on-board equipment will have to use one or more of the following technologies to carry out electronic toll transactions: (a) satellite positioning; (b) mobile communications; (c) 5.8 GHz microwave technology.

European Electronic Toll Service (EETS) providers shall make available to EETS users on-board equipment suitable for use with the relevant electronic road toll systems in service in the Member States and using the above-mentioned technologies and that is interoperable and capable of communicating with all these systems.

The on-board equipment (OBE) may use its own hardware and software, use elements of other hardware and software present in the vehicle, or both. For the purpose of communicating with other hardware systems present in the vehicle, the OBE may use technologies other than those listed in the first subparagraph of paragraph 1, provided that security, quality of service and privacy are ensured.

On-board equipment which uses satellite positioning technology and is placed on the market after 19 October 2021 shall be compatible with the positioning services provided by the Galileo and the European Geostationary Navigation Overlay Service ('EGNOS') systems.

## ***Interoperability***

The new rules shall make electronic toll systems more interoperable and therefore more cost-effective and user-friendly. They shall remove administrative barriers, such as cumbersome authorisation procedures and non-standard local technical specifications. As a result, electronic toll service providers shall be able to access the toll collection market more easily.

### ***General principles of the European Electronic Toll Service (EETS)***

Each Member State shall establish a procedure for registering EETS providers. It shall grant the registration to entities which are established on its territory, which request registration and which can demonstrate that they fulfil a number of requirements.

Toll chargers should give access to their EETS domain to EETS providers on a non-discriminatory basis. To ensure transparency and non-discriminatory access to EETS domains for all EETS providers, toll chargers shall publish all the necessary information relating to access rights in an EETS domain statement.

All OBE user rebates or discounts on tolls offered by a Member State or by a toll charger should be transparent, publicly announced and available under the same conditions to clients of EETS providers.

EETS providers shall be entitled to fair remuneration, calculated based on a transparent, non-discriminatory and identical methodology.

Conciliation Bodies shall have the power to verify that the contractual conditions imposed on any EETS provider are non-discriminatory.

### ***Procedure for the exchange of information between Member States***

In order to allow the identification of the vehicle, and the owner or holder of that vehicle, for which a failure to pay a road fee has been established, each Member State shall grant access only to other Member States' national contact points to the following national vehicle registration data, with the power to conduct automated searches.

Member States shall take the measures necessary to ensure that the exchange of information between Member States takes place only between the national contact points. In the context of this data exchange, particular attention shall be paid to the adequate protection of personal data.

Where the Member State in whose territory there was a failure to pay a road fee decides to initiate follow-up proceedings in relation to the failure to pay a road fee, it shall, for the purpose of ensuring the respect of fundamental rights, send the information letter in the language of the registration document of the vehicle, if available, or in one of the official languages of the Member State of registration.

ENTRY INTO FORCE: 18.4.2019.

TRANSPOSITION: no later than 19.10.2021.