



Impact Assessment support study for the revision of the Intelligent Transport Systems Directive (2010/40/EU)

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Study objectives

- **Objective of the study:**

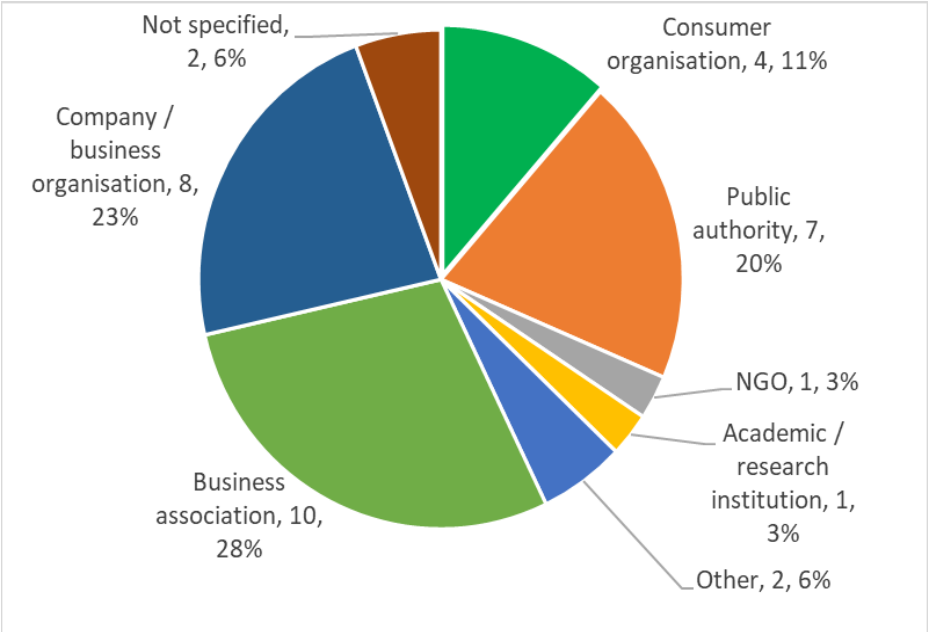
Support Commission with evidence based analysis to revise the ITS Directive and the related policy framework for intelligent transport systems

- The general objective of the revision of the ITS Directive is to:
 - **Increase the deployment and operational use of ITS services** across the EU in order to improve the functioning of the road transport systems and enable interfaces between all modes
 - **Reduce the negative external effects** of road transport and benefit all transport users

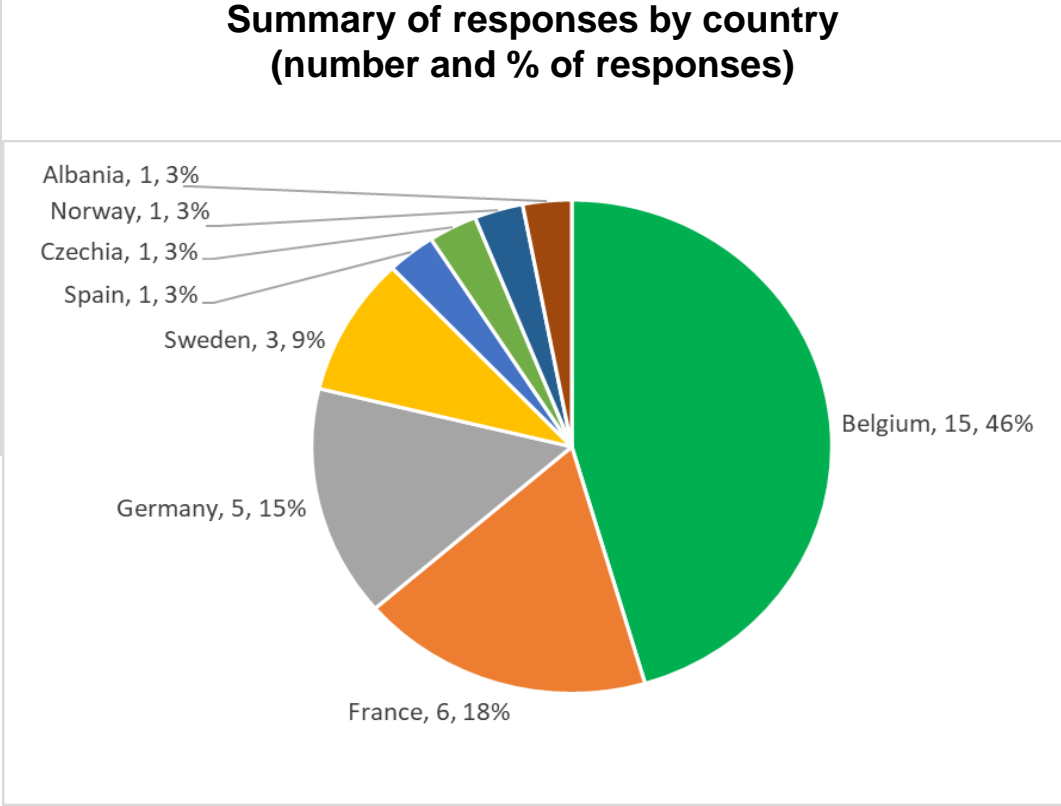
Study timeline

- **Inception phase (Nov-Dec 2020)**
 - Draft problem definition
 - Initial list of measures
- **Analytical phase (Dec-Feb 2020)**
 - Problem definition (final)
 - Baseline development
 - Policy measures/options (final)
- **Assessment of impacts (Mar-May 2020)**
 - Impact assessment (incl. modelling of options)
 - Comparison of options
- **Stakeholder consultation (throughout the study)**
 - Survey
 - Interviews
 - Workshops
 - Inception Impact Assessment (closed) / Open Public Consultation (open)

Overview of responses to the Inception Impact Assessment



Summary of responses by stakeholder type (number and % of responses)



Summary of responses by country (number and % of responses)

- Consultation live between 8 October and 19 November 2020

Stakeholder input from IIA – not study findings

The Inception Impact Assessment: Introduction

- Commission identified **‘three key problem drivers’**:
 - A lack of interoperability and continuity of applications, systems and services;
 - A lack of concertation and effective cooperation among stakeholders; and
 - Unresolved issues related to the availability and sharing of data supporting ITS services
- Around one third of the responses focused on one aspect of the third of these – i.e. **data availability and sharing**
- Around another third of the responses covered **all of these drivers**
- The final third focused on a **particular service(s)**, including
 - Traffic management services
 - Mobility as a service
 - Railways
 - Electric vehicle recharging
 - Tolling
 - Cycling

Stakeholder input from IIA – not study findings

The aim of the following summary is to provide and indication of the responses received.

Where a sector is mentioned, the response should not be taken as being necessarily representative of the views of that sector.

Data availability and sharing (1) – In-vehicle data



- Automotive / telecommunications sectors:
 - **Market players should be left to decide** what data was best suited for different use cases and events
 - **Data sharing voluntary** if a market failure has not been identified
 - **Importance of a level playing field** and if data sharing was mandated, this should be through a vehicle manufacturer backend in accordance with ISO extended vehicle standards
 - **No overlap** of processing of real-time traffic information and safety-related information
- There were also calls for:
 - Regulation on data access to **preserve user choice** and allow operators of innovative services to have **equal access to vehicle resources**
 - **Drivers to retain ownership** of their data and be able to give informed consent on their use, and that drivers should have the **right to choose their preferred service providers** and to consent to their vehicle transmitting data

Stakeholder input from IIA – not study findings

- From the perspective of public transport operators, when data was shared:
 - **Commercial interests** needed to be protected
 - **Competition** should not be distorted
 - **Operators should not bear the costs of providing data** to third parties who make a profit from this
 - **Risk of third party misuse** should be avoided
- It was noted that there were already a **range of requirements on rail** re data sharing
- There were also calls for:
 - **Integration** of historic, static and dynamic data (from users and providers) and for its provision and access to be open. Data sharing should be both ways – from users, public transport operators and authorities.
 - **Mandatory data sharing requirements** on public transport operators, as otherwise there was a risk of a concentration of information and market power that might deprive consumers of innovative services.

Stakeholder input from IIA – not study findings

- MaaS providers:
 - **Voluntary approach to data sharing** (particularly for processed and analysed data), rather the prescriptive requirements, underpinned by privacy and data protection considerations
 - **Market** should be left to arrive at the best outcome for consumers
 - Data sharing to be based on **data reciprocity** and to support SME involvement

- There were also calls for:
 - **Interoperability** of data and connectivity of relevant systems needed to facilitate MaaS

Stakeholder input from IIA – not study findings

- There were calls for:
 - **Sector-specific governance regimes** that ensured non-discriminatory access to data across all mobility markets, while upholding consumer rights, and which empowered consumers to exercise their rights
 - Non-discriminatory access to transport data for **all distribution channels** to facilitate the development of a seamless, multimodal transport system
 - **Open licencing of data** to enhance availability and data sharing

In relation to **Cooperative ITS (C-ITS)**:

- **Open access to mobility data** needed to support deployment of vehicle-2-X technology
- **Mandatory exchange of information** between connected vehicles and road network manager
- **ITS to be able detect, control and manage unwanted behaviour** in autonomous vehicles

Stakeholder input from IIA – not study findings

- In relation to consumers' data:
 - ITS systems should be designed so that consumers had to **actively give their consent**
 - ITS to **avoid using personal data**, if possible
- There were calls for:
 - Exploration of categories of actor that **produce or hold data** to identify where any obligation would be most effective.
 - Need for **frameworks for the governance of data** to ensure they are trustworthy, of sufficient quality, and available
 - **Provision of navigation data** to drivers and vehicle operators, e.g. relating to urban vehicle access restrictions, should be covered by the Directive

Stakeholder input from IIA – not study findings

- Manufacturers had begun to equip vehicles with ITS-G5 standard in line with C-ITS Security and Certificate Policies – need to **accelerate deployment** of roadside stations
- **Framework needed** (regulatory or otherwise) to address lack of interoperability / continuity and bind applications to current / upcoming backward compatible technologies
- Spectrum to be kept **technology neutral** - ITS-G5 and 5G-V2X access to non-safety part of the ITS spectrum might be considered
- Need to **secure availability** of current spectrum and to plan for its extension
- GDPR blocks C-ITS (as requires these to be “off by default”); call for a list of approved C-ITS, which had privacy protection mechanisms in place (to be “**on by default**”)
- Frameworks needed for **self- and third party certification** of security and functional aspects to ensure interoperability and continuity

Stakeholder input from IIA – not study findings

Other issues raised by automotive (and telecomms) sector

- Lack of interoperability and continuity:
 - Support for a **hybrid communication** approach
 - Access to National Access Points (NAPs) with **minimum set of data** coherent in EU
- Lack of concertation and cooperation:
 - **Better coordination** of infrastructure / services deployment, integration of NAPs
- Priorities for the revision of the Directive:
 - **Technology neutrality**, choice of communication technologies left to market (if interoperability, scalability and harmonisation of ITS services could be ensured).
 - **Synchronise revision** with UNECE's roadmap on ITS
 - Work towards a **common definition** of ITS, in line with Action 1 of UNECE roadmap
 - More **balanced approach** between regulatory and non-regulatory measures
 - Directive to be **aligned with other relevant legislation** (data protection and privacy)
 - **Timely / structured engagement** of car industry in negotiation of delegated acts
- Need to **update eCall Regulation** to implement Next Generation eCall standards

Stakeholder input from IIA – not study findings

Issues raised by the public sector

- Options for extending a service or its geographical scope to be based on **clear evidence**, while **external costs should be addressed**, **administrative burden limited** and there should be **no discrimination** between sectors and economic actors
- **Increasing demand for public data untenable** – need for debate on the monetisation of public data
- As public authorities hold a lot of non-machine readable data, this should also be made **machine readable in clearly defined and well justified** use cases
- Importance of **not mandating services** on public authorities that did not meet local needs
- Creation of ticketing interfaces was a **matter of subsidiarity**
- There was a need for progress on interoperability and continuity to **improve replicability of solutions**
- Need to clarify **relationship between ITS and other relevant legislation** on data and privacy
- Need to ensure that **private and commercially-sensitive data** is sufficiently protected

Stakeholder input from IIA – not study findings

Other specific services mentioned

- Traffic management services
 - Need to **define and collate the data** needed to promote development of these
 - Need for a **strong framework for cooperation** of stakeholders so that this work together by competing and cooperating for the attainment of a common benefit
- MaaS:
 - Need to **build trust and decrease fragmentation**, supported by an open system approach that included non-discriminatory access to critical assets and services (e.g. ticketing)
 - **Enforcement of competition rules** and further development of NAPs to support MaaS providers
- Electric vehicle recharging:
 - Call for the Directive to **ensure access to high quality data**, while preserving privacy and commercial sensitivity, which could be facilitated by the development of sectoral approaches.
 - It was important to ensure **non-discriminatory access** to relevant electric vehicle data, within a standardised framework and for communication systems to be harmonised

Stakeholder input from IIA – not study findings

- Tolling on motorways:
 - Importance of ensuring **co-existence of ITS and road charging** applications; consideration of road user charging in the revision of the Directive
 - ITS Directive to support deployment of **ITS and European Electronic Tolling Services**
- Cycling:
 - Should be covered by EU ITS policy to ensure that it **makes its contribution to MaaS**
- Technology neutrality regarding communications technology:
 - It was suggested that this **could be counter-productive** and so there was a call for a single communication technology to be mandated
- Awareness of ITS:
 - There was a call for more information, particularly to citizens, to raise **awareness of the benefits of ITS**

Stakeholder input from IIA – not study findings

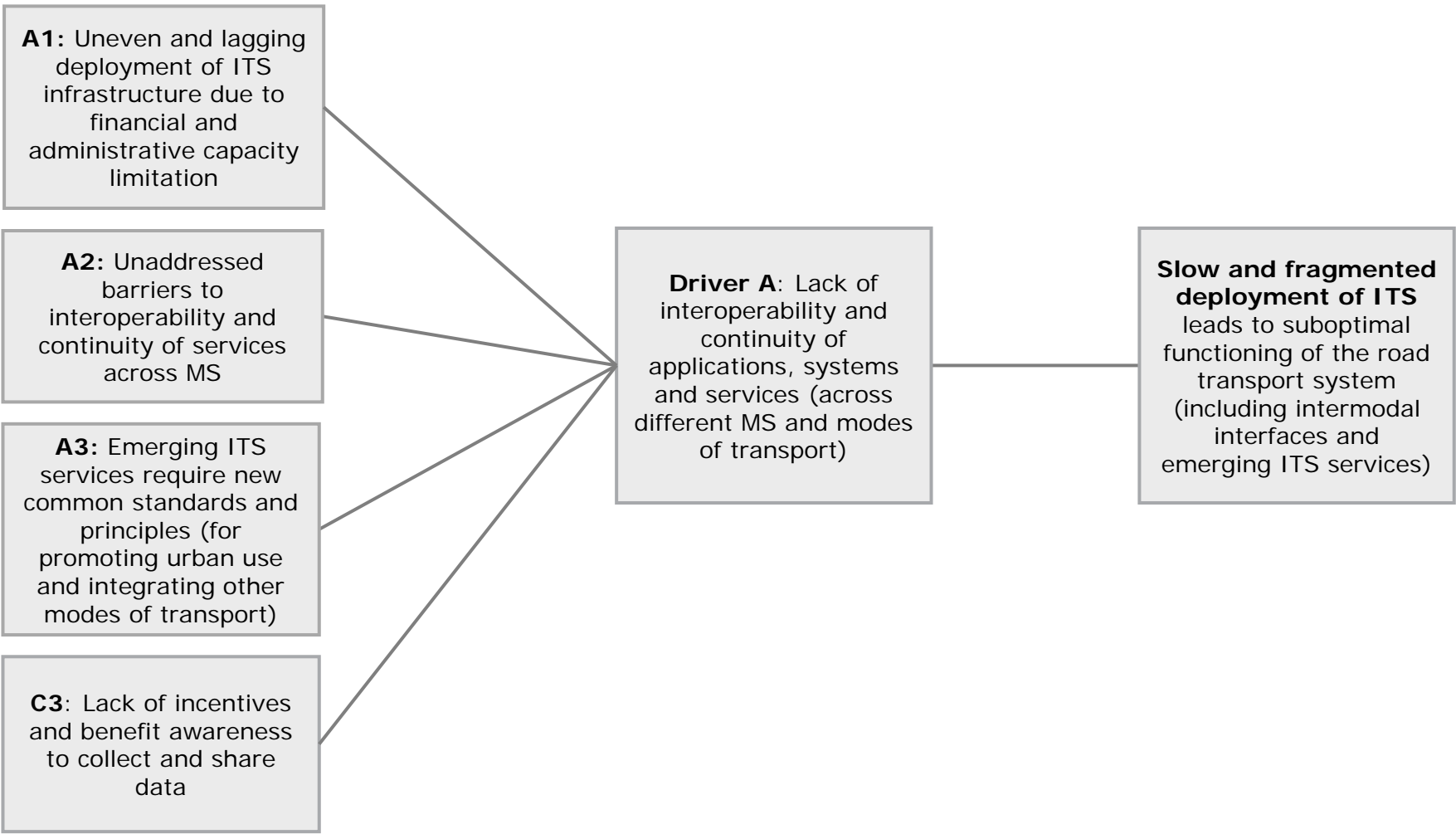
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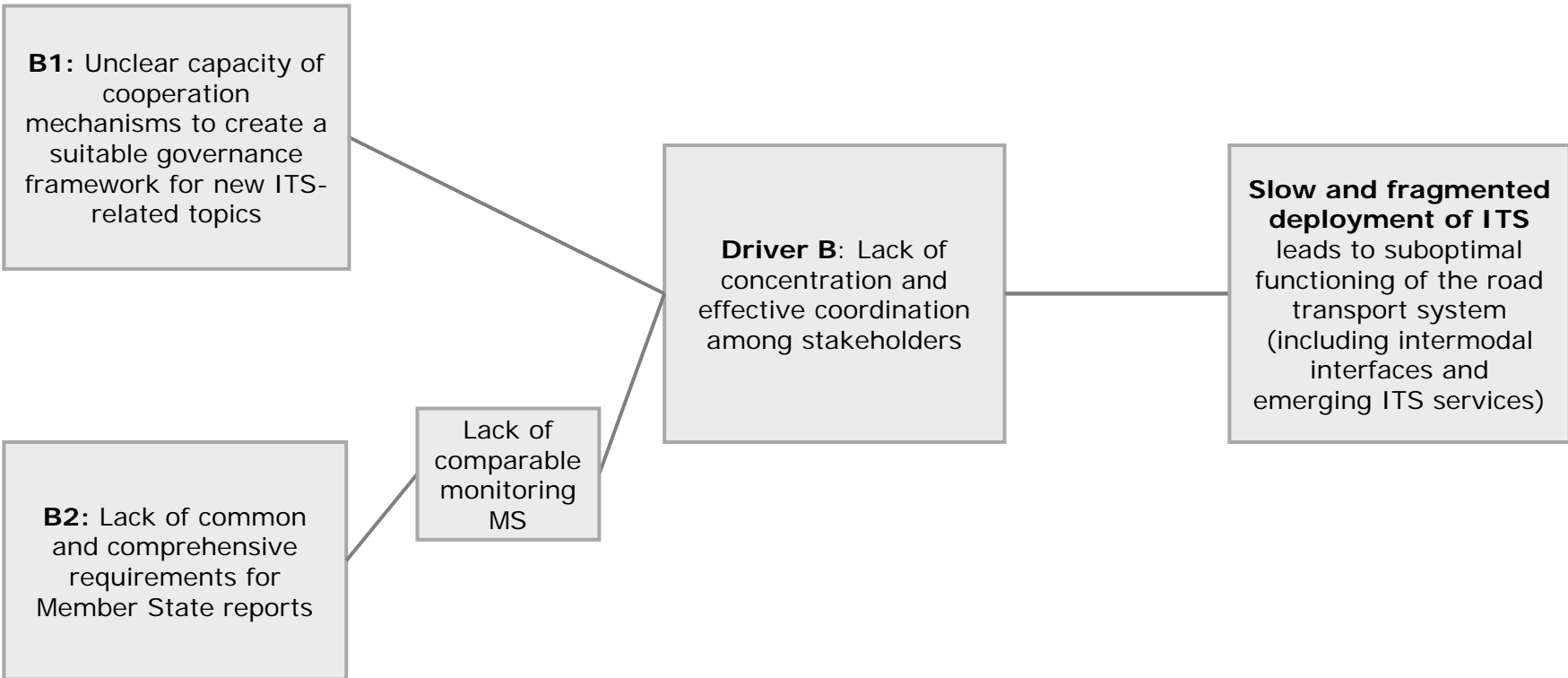
Original responses at:

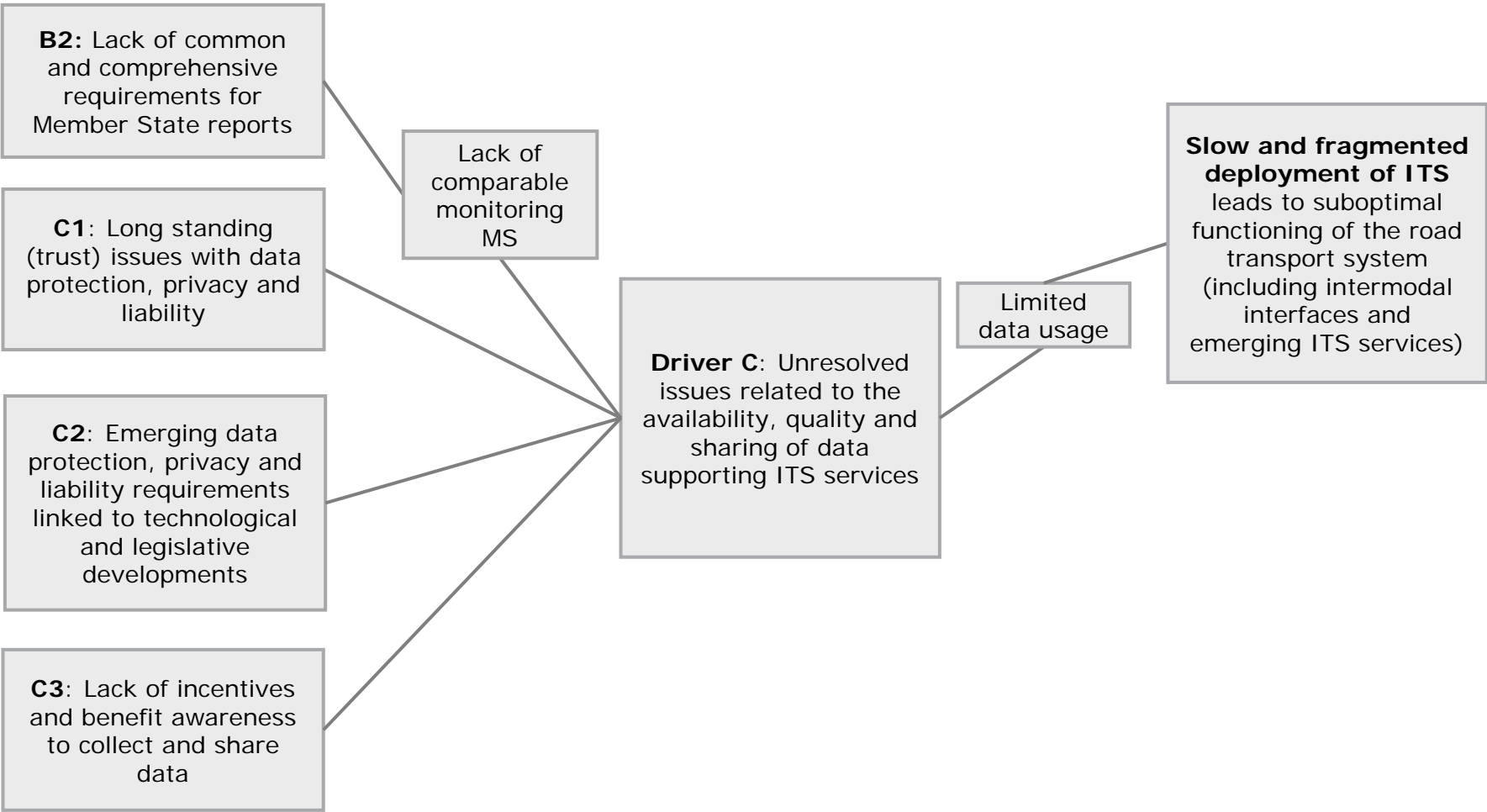
https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12534-Revision-of-the-Intelligent-Transport-Systems-Directive-/feedback?p_id=9170088

Problem definition

- Three problem drivers:
 - A. **Lack of interoperability and continuity** of applications, systems and services (across different Member States and modes of transport)
 - B. Lack of effective **stakeholder coordination** at an EU level
 - C. Unresolved issues related to the **availability, quality and sharing of data** supporting ITS services
- Study needs to support targeted action to address those key unresolved issues – issues can be categorised under two broad themes:
 1. The need to tackle potential **shortcomings of the *current* regulatory framework** for ITS
 2. The need to **future-proof the ITS Directive** to maximise the benefits of *emerging* ITS solutions, including in the fields of C-ITS, CCAM and MaaS







Target service bundles

- Resolving the Problem
 - Reduce the negative **external effects** of road transport
 - **Increase deployment** and operational use of ITS services
 - Service bundles as means to assess deployment of ITS services – is the scope of services sufficient?

No.	Service bundle	ITS service type
1	Travel information services	<ul style="list-style-type: none"> • Travel information service (road) (C-ITS service overlap) • Multimodal travel information service (including linking between modes) • Multimodal travel information and booking/re-selling service (MaaS)
2	Traffic and freight management	<ul style="list-style-type: none"> • Real-time traffic information service • (Enhanced) Traffic network management systems • Parking (and pricing) information (C-ITS service overlap) • Re-charging/re-fuelling location and pricing information (C-ITS service overlap) • Intermodal interfaces
3	Road safety and security applications (excluding C-ITS)	<ul style="list-style-type: none"> • Road safety-related minimum universal traffic information service • Safe and secure truck parking location information system • Safe and secure truck parking location reservation system • eCall (current scope) • eCall extension (such as HGV, buses and coaches, etc.)
4	Connected and Automated Mobility	<ul style="list-style-type: none"> • Day 1 & 1,5 Safety C-ITS (excluding bundles 4 and 5 for the C-ITS IA) • Day 2 C-ITS (including support for CCAM and excluding services already covered in bundle 2)

Crucial to avoid duplication, identify synergies and enhance clarity

1. Account for coherence with relevant legislation that came into effect after the introduction of the ITS Directive (e.g. GDPR, General Safety Regulation)
2. Strategies that have a direct relationship with the ITS regulatory framework:
 1. Fit for 55 Package - emissions ambition (e.g. AFID revision)
 2. Data strategy (e.g. Common European mobility data space)
 3. Sustainable and smart mobility strategy (SSMS) e.g. TEN-T revision → realised on 9th December,
- Other relevant legislation of major impact?

Opportunities for involvement

- **Survey**
 - launch expected mid-January
- **Interviews**
 - approach early January

Workshops – open participation:

1. Introduce timeline and objectives of the study, discussion on definition of main problems, drivers, relevant root causes **(today)**
2. Present and discuss emerging final policy options (measures and packages) – and their potential impact on deployment rate **(early March)**
3. Presentation of draft final results **(May)**



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