

ROADMAP			
TITLE OF THE INITIATIVE	Extension of Directive 2010/40/EU on the framework for the deployment of Intelligent Transport Systems (ITS) in the field of road transport and for interfaces with other modes of transport		
LEAD DG – RESPONSIBLE UNIT – AP NUMBER	DG MOVE – C3	DATE OF ROADMAP	27/10/2016
LIKELY TYPE OF INITIATIVE	Directive (revision)		
INDICATIVE PLANNING	4 <sup>th</sup> quarter 2016		
ADDITIONAL INFORMATION	<a href="http://ec.europa.eu/transport/themes/its/road/action_plan/index_en.htm">http://ec.europa.eu/transport/themes/its/road/action_plan/index_en.htm</a>		
<p><b>This Roadmap aims to inform stakeholders about the Commission's work in order to allow them to provide feedback and to participate effectively in future consultation activities. Stakeholders are in particular invited to provide views on the Commission's understanding of the problem and possible solutions and to make available any relevant information that they may have. The Roadmap is provided for information purposes only and its content may change. This Roadmap does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content.</b></p>			

A. Context, Problem definition and Subsidiarity Check
<p><b>Context</b> [max 10 lines]</p> <p>Directive 2010/40/EU<sup>1</sup> (the 'ITS Directive'), which entered into force in August 2010, aims at accelerating the coordinated deployment and use of ITS across Europe. It identifies a list of six specific priority actions and four broader priority areas for which specifications can be adopted through delegated acts (article 290 of the TFEU). Four delegated acts have already been adopted since the entry into force of the Directive<sup>2</sup>, the fifth delegated act has been finalised with the Member States experts and should be adopted before end of 2016. The Commission is currently preparing the delegated act necessary to deploy Cooperative Intelligent Transport Systems<sup>3</sup> in the EU. In addition, other important actions listed in the ITS Directive are still to be addressed.</p> <p>Further development in the field of ITS faces challenges also identified in the Digital Single Market (DSM) strategy<sup>4</sup> especially concerning issues of interoperability and data access / exchange. The ITS Directive is a relevant instrument to contribute to address such challenges and can provide transport related results to the horizontal DSM strategy.</p>
<p><b>Problem the initiative aims to tackle</b> [max 25 lines]</p> <p>The ITS Directive has been established as the framework to accelerate and coordinate the deployment and use of ITS applied to road transport and its interfaces with other transport modes. Specific objectives of this regulatory framework were to increase system interoperability, ensure seamless mobility, foster continuity of services and set up an efficient co-operation mechanism between all ITS stakeholders. Through the ITS Directive the Commission has managed to set up a broad 'ITS community' with which to commonly agree on problems to solve, and subsequently collectively define solutions. These solutions are then translated into enabling conditions adopted under the ITS Directive.</p> <p>Overall, progress has been made since the adoption of the ITS Directive in 2010 (see report submitted in October 2014 to the European Parliament and the Council<sup>5</sup> on the progress made in the implementation of the ITS Directive and Action Plan). The national reports have also demonstrated a strong interest and willingness of Member States to foster the deployment of ITS across Europe to support service continuity and smarter mobility.</p> <p>Despite significant progress in terms of raising awareness and removing obstacles to deployment (especially through better collaboration in the ITS community and technical harmonisation), results in terms of interoperability, compatibility and continuity of large scale deployment still need to materialize. In light of this, the stakeholder community considers a common policy framework and strong EU leadership as still appropriate and necessary to progress further and tackle remaining fragmentation, in particular for remaining topics listed in the</p>

<sup>1</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32010L0040>

<sup>2</sup> [http://ec.europa.eu/transport/themes/its/road/action\\_plan](http://ec.europa.eu/transport/themes/its/road/action_plan)

<sup>3</sup> [http://ec.europa.eu/transport/themes/its/c-its\\_en.htm](http://ec.europa.eu/transport/themes/its/c-its_en.htm)

<sup>4</sup> [http://ec.europa.eu/priorities/digital-single-market\\_en](http://ec.europa.eu/priorities/digital-single-market_en)

<sup>5</sup> [http://ec.europa.eu/transport/themes/its/road/action\\_plan/its\\_reports\\_en.htm](http://ec.europa.eu/transport/themes/its/road/action_plan/its_reports_en.htm)

ITS Directive and still in need to be addressed.

However, the mechanisms foreseen in the ITS Directive to ensure interoperability and continuity of services (i.e. the exercise of delegation conferred to the Commission for a period of 7 years) are expiring in August 2017.

Without the right ecosystem and regulatory framework in place at European level it is expected that:

- the broad multi-stakeholder collaboration and momentum initiated will fade down with consequences in terms of coordination and operations efficiency,
- the steered focus on specific priorities will dilute resulting in increasing fragmentation,
- the safeguarded balance between societal and economic objectives will be jeopardised with consequences in terms of sustainability of the transport sector and soundness of the internal market.

#### **Subsidiarity check [max 10 lines]**

The ITS Directive addresses trans-national aspects that cannot be satisfactorily addressed by Member States only, such as the interoperability of equipment as well as the strengthening of the internal market for ITS services at the global level (thereby contributing to jobs and growth). In accordance with the principle of subsidiarity, the use of a (framework) directive such as the ITS Directive remains one of the most appropriate forms to achieve the intended purpose. The overarching principles and enabling conditions for ITS implementation are defined through specifications developed with the strong involvement of thematic experts nominated by the Member States, the industry and all relevant stakeholders. The Commission also established a European ITS Advisory Group to which representatives of relevant ITS public and private stakeholders advise the Commission on business and technical aspects of the implementation and deployment of ITS in the EU.

Moreover specifications adopted by the Commission apply in accordance with Article 5 of the ITS Directive which acknowledges the right of each Member State to decide on the deployment of ITS applications and services on its territory.

#### **B. What does the initiative aim to achieve and how [max 25 lines]**

The aim of this initiative is to extend the duration of the empowerment to the Commission to adopt delegated acts by between 3 to 7 years (equal to the initial duration of the exercise of delegation), without changing the policy objectives and the scope of the ITS Directive itself. First targeted consultations with stakeholders (e.g. ITS Committee and ITS Advisory Group) indicate that a 5 years extension seems to be appropriate, followed by a more substantial future review of the Directive.

The power to adopt delegated acts has been conferred to the Commission until 27 August 2017. This timeframe will only allow for the finalisation of the activities on the specifications of the priority actions. However this timeframe is not sufficient to adopt delegated acts for the priority areas listed in Annex I of the ITS Directive. Policy objectives of the ITS Directive still hold, the scope and content of Annex I of the ITS Directive encompasses relevant priorities in the field of ITS to address remaining gaps, emerging trends and cross-cutting issues (e.g. cooperative ITS, access to in-vehicle data and resources). They are also consistent with the priorities of other EU policies and strategies.

The ITS Directive has promoted, where needed and especially through the adoption of specifications, a common understanding, a greater legal certainty, and a common basis for European-wide deployment of ITS services. It also established an ecosystem for collaboration with the Member States towards the implementation of these specifications or development of additional specifications, where appropriate, acknowledging the variation of advancement of EU and national actions, as well as public or private initiatives, in the different priority areas of the ITS Directive. The approach and governance established for the development and adoptions of specifications for the six priority actions of the ITS Directive demonstrated good results and therefore will be pursued.

The targets of the ITS Directive and its priority areas remain unchanged and will not be impacted by an extension of the deadline of the power granted to the Commission to adopt delegated acts.

A full legislative review of the Directive is neither feasible nor effective at this stage, as a proper evaluation cannot be carried out so soon after the adoption of the delegated acts. Several years following entry into force of these delegated acts are needed to learn from first developments / deployments as triggered by the adoption of the abovementioned specifications through monitoring and exchange of best implementation practices among Member States (incl. with TEN-T / CEF financial support). Moreover, a combined evaluation and revision process would extend widely beyond the deadline of the mandate.

## C. Better regulation

### Consultation strategy [max 10 lines]

No formal open public consultation is foreseen. The outcomes of the consultation conducted at time of development of the ITS Directive and ITS Action Plan<sup>6</sup> are still considered valid, for instance with respect to cross sector collaboration, implementation strategy and stakeholder coordination.

Targeted consultations with stakeholders groups have already taken place, in particular the European ITS Committee and the members of the European ITS Advisory Group.

### Impact assessment [max 10 lines]

No Impact Assessment is foreseen, as the extension does not change the scope and content of the Directive itself. Any delegated acts will be accompanied by costs benefit analyses as foreseen in the Directive.

### Evaluations and fitness checks [max 5 lines]

Reports on the implementation of the ITS Directive and ITS Action Plan<sup>7</sup> were published in 2014.

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<sup>6</sup> [http://ec.europa.eu/transport/modes/road/consultations/2008\\_03\\_26\\_its\\_en.htm](http://ec.europa.eu/transport/modes/road/consultations/2008_03_26_its_en.htm)

<sup>7</sup> [http://ec.europa.eu/transport/themes/its/road/action\\_plan/its\\_reports\\_en.htm](http://ec.europa.eu/transport/themes/its/road/action_plan/its_reports_en.htm)