

EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

Directorate C - Innovative & sustainable mobility C.3 - Intelligent transport systems

EXPERT MEETING PREPARATION OF A DELEGATED ACT

TOWARDS SPECIFICATIONS FOR PRIORITY ACTION (E) PROVISION OF INFORMATION SERVICES FOR SAFE AND SECURE PARKINGS

DIRECTIVE 2010/40/EU-EXPERT MEETING

Final Minutes of the Meeting on 17 of October 2012 TEN-T Executive Agency, Brussels

Chairman: Mr. Pawel Stelmaszczyk, Head of Unit, DG Move C3,

Participants: See detailed attendance list in the Annex

1. WELCOME AND TOUR DE TABLE

The Chairman welcomed the participants to this specific meeting with experts appointed by the Member States, to follow the process of elaboration of specifications under Directive 2010/40/EU ("ITS Directive").

The meeting was dedicated to the specifications for **Priority Action** (e) **Provision of information and reservation services for safe and secure parkings**.

The Chairman apologised for the budgetary constraint not permitting the Commission to reimburse experts travel and accommodation expenses and expressed his appreciation that it did not prevent Member States experts from participating. The Chairman recalled that an extensive discussion has taken place on the 25 of September. Minutes have been sent out together with an extract of a preliminary report of a support study analysing cost benefits as agreed.

A table synthetizing all comments received and revised specifications (rev 0.2) are circulated to the members as new working document for the meeting.

The Chairman ensured that information (minutes, supporting documents, presentations) related to this expert group will be shared with all MS, whether able to attend or not.

2. PRESENTATION OF THE AGENDA AND DISCUSSION ON IMPLEMENTING ACTS

The Chairman gave an overview of the updated Agenda and the objectives of the day. These welcoming words were followed by a Tour de Table where all participants briefly introduced themselves and the institution they were coming from (cf. Annex).

A first discussion on the political context of the specifications took place. Some Member States experts exposed the major questions of a document that was sent out to all participants and distributed also during the Meeting. Other experts expressed also similar questions by written comment. These points can be summarized as follows:

- -Are the specifications themselves specifying essential elements of the legislative act i.e. are beyond the scope of the Directive?
- Aren't the requirements and impacts put on Member States not considerable?
- Are the tasks such as quality requirement, liability and conformity assessment proportionate?

<u>The Commission</u> responded to this as follows:

- The European Commission has received the power to adopt non-legislative acts to supplement or amend certain non-essential elements of the legislative act. The main difference to the Comitology procedure before the entry into force of Lisbon Treaty is that these delegated acts are only subject to the ex-post control of the legislator.
- The ITS Directive 2010/40/EU grants such power to the Commission for 7 years, but it can be revoked by Council or EP. Once a delegated act is notified to Council and EP objections can be voiced within 2 months (possible extension by 2 months). If there is no objection, the delegated act enters into force.
- The implementation of specifications will apply to M.S. which had already developed a service. The necessity of a specific national legislation to implement specification is questionable. The legal cell has been called for advice.
- In terms of obligation put to Member States, the specifications have detailed more precisely the roles and functions of different Stakeholders. This will be discussed along the specifications.
- Regarding liability, privacy, conformity assessment, the Commission is investing with the relevant services the possibility to refer to existing texts in other to avoid defining specific rules.

3. DISCUSSION ON SPECIFICATIONS

THE CHAIRMAN gave the floor to the Policy Officer to come back to the modifications adopted during the meeting of September 25 and new proposal introduced by participants or by the Commission. A document Safe and secure parking specification "revMS meeting 25092012 0_2.doc" is circulated as well as a table of all comments received.

Detailed discussions took then palace on the specifications.

The Chairman thanked the participants and closed the meeting.

LIST OF ATTENDING COUNTRIES

Titre de la réunion/Meeting title: Directive 2010/40/EU – Towards Specifications (Delegated Act) for Priority Actions (e):

Date, time: 17 October, from 10h00 to 17h00 - Lieu/Venue: W910 0/41

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