

INCEPTION IMPACT ASSESSMENT

Inception Impact Assessments aim to inform citizens and stakeholders about the Commission's plans in order to allow them to provide feedback on the intended initiative and to participate effectively in future consultation activities. Citizens and 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, including on possible impacts of the different options.

TITLE OF THE INITIATIVE	Revision of the Directive on intelligent transport systems (ITS)
LEAD DG (RESPONSIBLE UNIT)	DG MOVE B4
LIKELY TYPE OF INITIATIVE	Directive
INDICATIVE PLANNING	Q3 2021
ADDITIONAL INFORMATION	https://ec.europa.eu/transport/themes/its_en

The Inception Impact Assessment is provided for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by the Inception impact assessment, including its timing, are subject to change.

A. Context, Problem definition and Subsidiarity Check

Context

Intelligent Transport Systems (ITS) help to significantly improve road safety, traffic efficiency and comfort, by helping transport users to take the right decisions and adapt to the traffic situation. They also help to increase the use of multimodality options and improve travel and traffic management.

Directive 2010/40/EU (the ITS Directive) aims to accelerate and coordinate the deployment and use of ITS applied to road transport and its interfaces with other transport modes. The evaluation of the Directive¹ concluded that there remains a clear need for further action on interoperability, cooperation and data sharing to enable seamless, continuous ITS services across the EU.

In the strategy for data published in February 2020, the Commission announced the revision of the ITS Directive and the intention to establish in 2020 a stronger coordination mechanism between the National Access Points (NAPs) established under the ITS Directive.

Problem the initiative aims to tackle

The deployment of ITS infrastructure and services among Member States still often remains restricted to a limited geographical scope and is not continuous. The provisions of the EU specifications adopted through delegated acts have been focused more on the data enabling services than on the deployment of services itself.

This has reduced the effectiveness of this deployment and it will not achieve its full potential in improving the functioning of the transport system and associated benefits, notably to increase road safety and traffic efficiency, promote multimodality and reduce negative externalities such as congestion, air pollution and CO₂ emissions.

Three key problem drivers are identified: (a) a lack of interoperability and continuity of applications, systems and services (b) a lack of concertation and effective cooperation among stakeholders and (c) unresolved issues related to the availability and sharing of data supporting ITS services.

The current Directive and its Delegated Regulations are already contributing to addressing these problem drivers and recently implementation of a new working programme for the Directive has started.² However, where current specifications address the accessibility of data if it exists, they do not yet address the issue of availability (i.e. existence in machine-readable format) of key data types on the whole network, which is important to support new

¹ <https://ec.europa.eu/transport/sites/transport/files/legislation/swd20190368-its-ex-post-evaluation.pdf>

² https://ec.europa.eu/transport/sites/transport/files/legislation/c20188264_en.pdf

services such as advanced driving assistance systems (e.g. Intelligent Speed Assistance).

In addition, new ITS themes and challenges are emerging, such as connected and automated mobility and mobility platforms (e.g. Mobility as a Service - MaaS), and the insufficient cooperation between private and public stakeholders e.g. for traffic management. Moreover, the ITS Directive initially has had a strong focus on the core and comprehensive TEN-T network. More efficient and sustainable multi-modal transport solutions - in particular between long-distance and last mile connections in urban nodes - should get more attention.

Without further EU action, ITS services will continue to develop in a slow and more fragmented manner, limiting sustainable, inclusive and multimodal mobility of passengers and freight, and will not contribute enough to wider EU policy objectives, in particular the target to reduce greenhouse gas emissions by at least 55% by 2030.

The COVID-19 crisis is significantly impacting transport demand and use. However, improving information exchange through further digitalisation will remain key to address congestion, traffic incidents, air pollution and CO₂ emissions and transport resilience, especially when mobility demand increases again and the operational capacity of public transport could be constrained.

Basis for EU intervention (legal basis and subsidiarity check)

The Treaty on the functioning of the European Union confers to the European institutions the competence to lay down appropriate provisions to pursue the objectives of the Treaties in the framework of a common transport policy (Article 91 TFEU).

The ITS Directive addresses trans-national aspects that cannot be satisfactorily addressed by Member States only, such as the common definition of key data sets to be made available for the development of ITS services, 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).

The overarching principles and enabling conditions for ITS deployment are implemented through common specifications at EU level developed with the strong involvement of thematic experts nominated by the Member States, the industry and all relevant stakeholders.

Defining new requirements on these aspects will be done following the principle of proportionality, taking into account the local, regional, national and European specificities (in particular where these requirements would extend to urban ITS).

B. Objectives and Policy options

The general objective of the initiative is to increase the deployment and operational use of ITS services across the EU to improve the functioning of the road transport system including its interfaces with other modes, and in doing so reduce the negative external effects of road transport. In turn this will make an important contribution to the Commission priorities, in particular the European Green Deal and making Europe fit for the digital age.

The specific objectives are to (1) increase interoperability and cross-border continuity of ITS applications, systems and services (2) establish effective coordination and monitoring mechanisms between all ITS stakeholders and (3) solve issues related to the availability and sharing of data which support ITS services.

In the baseline scenario, the current ITS Directive remains in force and the Commission would implement the existing working programme and possible subsequent working programmes beyond 2022, adopting common specifications, non-binding measures and standards in the existing priority areas when relevant.

The impact assessment will analyse different policy options against the baseline scenario. They will demonstrate different degrees of policy ambition and different regulatory instruments. The Impact Assessment will further scope and analyse the relevance and benefits of a wide set of measures under these options, including:

Concerning specific objective 1: to update the scope of the priority areas of the Directive, to strengthen provisions for putting on the market and operating ITS components and services, to establish operation and coordination structures at EU level necessary for ITS deployment across borders, to mandate deployment of essential ITS services (with geographical coverages to be determined);

Concerning specific objective 2: to update and streamline reporting obligations including common KPIs, to establish sustainable coordination mechanisms for NAPs and ITS stakeholders;

Concerning specific objective 3: to strengthen provisions on the rights and obligations of ITS service providers on fair and non-discriminatory ITS services (for example for MaaS digital service providers), to establish data sharing and fair reuse mechanisms to ensure the continuity of essential ITS services across the EU, to update interlinkages with related legislation (e.g. in the area of processing of data, liability, common European data spaces, TEN-T), to mandate the availability of certain data sets to support EU continuity of essential ITS services.

C. Preliminary Assessment of Expected Impacts [max 20 lines]

<p>Likely economic impacts</p> <p>Accelerated deployment of ITS will require large investment and operational costs, in particular for service providers/developers, vehicle manufacturers, road and transport operators and public authorities. Improved and safer traffic flows should contribute to better utilisation of infrastructure, less time spent in traffic and less energy use and harmful emissions. ITS could also replace existing systems, potentially at lower costs (e.g. digital vs. physical ticketing).</p> <p>Increased coordination of deployment is expected to reduce redundancy of systems and increase roll-out speed. By having interoperable, EU-wide solutions rather than fragmented ones, there is a strong potential for network effects and individual ITS services can be more easily integrated into combined services offerings, making the ITS market broader and more accessible.</p> <p>The deployment of ITS is expected to have positive impacts on international competitiveness, technological development and the COVID-19 recovery through strengthening the Single Market and adapting it to the digital age. Establishing clear rights and obligations will require some actors to make changes to their offers, but will make the use of ITS services more open, fair and impartial and aligned to wider policy objectives (e.g. by ensuring that travel options are offered in a balanced way and reflect sustainability criteria). It will also contribute to competition and consumer choice, which is important considering a significant number of transport providers and ITS service providers/developers are SMEs; the impact assessment will give specific attention to the likely impacts on SMEs.</p>
<p>Likely social impacts</p> <p>The further deployment of ITS (e.g. eCall, C-ITS, availability of safety related information) is expected to make a strong contribution to road safety and security.</p> <p>The deployment of ITS can create new jobs and business opportunities.</p>
<p>Likely environmental impacts</p> <p>ITS contribute to reducing the negative environmental externalities of transport (in particular air pollutant and CO₂ emissions) in line with the European Green Deal, through more efficient use of transport infrastructure, smoother transport flows and the facilitation of multimodality (enabling the shift towards more efficient and environmental-friendly modes). However it should be ensured that these improvements do not lead to an increase in road traffic.</p>
<p>Likely impacts on fundamental rights</p> <p>The operational use of ITS will lead to a very strong increase in the availability, accessibility and sharing of data in the transport sector, between a large variety of different stakeholders. In particular, when this concerns passenger or vehicle data, it frequently includes personal data and it needs to be ensured that ITS are in line with EU rules on processing of personal data.</p>
<p>Likely impacts on simplification and/or administrative burden</p> <p>Further harmonisation and coordination of ITS deployment could contribute to reduce transactional and alignment costs. While the evaluation of the ITS Directive showed that the administrative burden is modest, streamlining and simplification measures, in particular on Member State reporting, will be considered in the impact assessment.</p>
<p>D. Evidence Base, Data collection and Better Regulation Instruments</p>
<p>Impact assessment</p> <p>An impact assessment will be carried out for this initiative. The impact assessment support study and consultation activities will start in Q4 2020.</p>
<p>Evidence base and data collection</p> <p>In late 2019, the Commission published an ex-post evaluation of the ITS Directive³ plus a report to the Council and the Parliament on the implementation of the ITS Directive and an analysis of the Member States ITS reports of 2017⁴. In addition, a support study is currently ongoing addressing three actions announced in the 2018-2022 ITS working programme. New Member States ITS reports are expected later in 2020 and will be part of the analysis.</p> <p>A support study for the Impact Assessment will be contracted to gather additional data, through desk and field research activities, including stakeholder consultation.</p> <p>In the preparation, the work on other initiatives under preparation, in particular those related to the implementation of the working programme of the ITS Directive and those under the European strategy for data (specific for the</p>

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<https://ec.europa.eu/transport/sites/transport/files/legislation/swd20190368-its-ex-post-evaluation.pdf>

⁴ https://ec.europa.eu/transport/themes/its/road/action_plan/its_reports_en

mobility data space and horizontal), will be taken into consideration.
Consultation of citizens and stakeholders [max 10 lines]
<p>The consultation activities have the following two main objectives:</p> <ul style="list-style-type: none">• To provide the concerned stakeholders and wider public an opportunity to express their views and opinions regarding the key elements of the initiative and the impact assessment.• To gather specialised input (data and factual information, expert views) from key stakeholders, in particular on the various measures considered under the initiative. <p>The planned consultation activities are:</p> <ul style="list-style-type: none">• A minimum 12-week public consultation is planned for publication in Q4 2020 on the <i>Commission's central public consultations page</i>. The questionnaire will be available in all 24 official EU languages.• Targeted consultation (surveys and/or interviews) of professional stakeholders as part of the support study.• 2 stakeholder workshops to which key public and private operators and stakeholders will be invited with the aim to validate (1) the set-up of the support study and (2) its findings, including the policy options considered.• The Commission will also consult with the ITS Committee and the ITS expert group, representing the Member States were relevant and with the broader stakeholder community at key event such as the European/World ITS congress and Digital Transport Days. <p>Consultation activities will be communicated through the DG MOVE website and a synopsis report summarizing all consultation activities will be annexed to the impact assessment.</p>
Will an Implementation plan be established?
Yes