



22/06/2022

**AMENDMENTS: 21**

**Rovana Plumb**

Amending Directive 2010/40/EU on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport

**Proposal for a directive** COM(2021)0813 - C9-0471/2021 – 2021/0419(COD)

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**Amendments per language:**

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## Amendment 1

Izaskun Bilbao Barandica, Jan-Christoph Oetjen, Dominique Riquet

### Proposal for a directive

#### Recital 5 a (new)

*Text proposed by the Commission*

*Amendment*

**(5 a) Digitalisation and innovation in road transport create employment opportunities by developing new projects in the industry;**

Or. en

## Amendment 2

Izaskun Bilbao Barandica, Jan-Christoph Oetjen, Dominique Riquet

### Proposal for a directive

#### Recital 6

*Text proposed by the Commission*

*Amendment*

(6) In many Member States national applications of those systems and services are already being deployed in the road transport sector. However, despite improvements since its adoption in 2010, the evaluation of Directive 2010/40/EU<sup>38</sup> found persistent shortcomings leading to remaining fragmented and uncoordinated deployment and lack of geographical continuity of ITS services throughout the Union and at its external borders.

(6) In many Member States national applications of those systems and services are already being deployed in the road transport sector. However, despite improvements since its adoption in 2010, the evaluation of Directive 2010/40/EU<sup>38</sup> found persistent shortcomings leading to remaining fragmented and uncoordinated deployment and lack of geographical continuity of ITS services throughout the Union and at its external borders. ***The development of the ITS should cover suburban, rural and peripheral areas as well as islands and outermost regions, ensuring social and economic inclusion.***

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<sup>38</sup> [https://transport.ec.europa.eu/transport-themes/intelligent-transport-systems/road/action-plan-and-directive\\_en](https://transport.ec.europa.eu/transport-themes/intelligent-transport-systems/road/action-plan-and-directive_en)

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<sup>38</sup> [https://transport.ec.europa.eu/transport-themes/intelligent-transport-systems/road/action-plan-and-directive\\_en](https://transport.ec.europa.eu/transport-themes/intelligent-transport-systems/road/action-plan-and-directive_en)

Or. en

**Amendment 3**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Recital 7**

*Text proposed by the Commission*

(7) In the context of the implementation of Commission Delegated Regulations<sup>39</sup> supplementing Directive 2010/40/EU, Member States have established national access points<sup>40</sup> (NAPs). The NAPs organise the access to and reuse of transport related data to help support the provision of EU-wide interoperable travel and traffic ITS services to end users. These NAPs are an important component of the common European mobility data space under the European strategy for data<sup>41</sup> and should be relied upon in particular as regards the accessibility of data.

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<sup>39</sup> Commission Delegated Regulation (EU) No 885/2013 of 15 May 2013 supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles (OJ L 247, 18.9.2013, p. 1); Commission Delegated Regulation (EU) No 886/2013 of 15 May 2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users (OJ L 247, 18.9.2013, p. 6); Commission

*Amendment*

(7) In the context of the implementation of Commission Delegated Regulations<sup>39</sup> supplementing Directive 2010/40/EU, Member States have established national access points<sup>40</sup> (NAPs) ***and regional and local access points may be established.*** The NAPs ***as well as regional and local ones*** organise the access to and reuse of transport related data to help support the provision of EU-wide interoperable travel and traffic ITS services to end users. These NAPs ***as well as regional and local ones*** are an important component of the common European mobility data space under the European strategy for data<sup>41</sup> and should be relied upon in particular as regards the accessibility of data ***to facilitate their safe and efficient use by freight transport operators, passengers and drivers.***

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<sup>39</sup> Commission Delegated Regulation (EU) No 885/2013 of 15 May 2013 supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles (OJ L 247, 18.9.2013, p. 1); Commission Delegated Regulation (EU) No 886/2013 of 15 May 2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users (OJ L 247, 18.9.2013, p. 6); Commission

Delegated Regulation (EU) 2015/962 of 18 December 2014 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services (OJ L 157, 23.6.2015, p. 21); and Commission Delegated Regulation (EU) 2017/1926 of 31 May 2017 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services (OJ L 272, 21.10.2017, p. 1).

<sup>40</sup> [https://transport.ec.europa.eu/transport-themes/intelligent-transport-systems/road/action-plan-and-directive/national-access-points\\_en](https://transport.ec.europa.eu/transport-themes/intelligent-transport-systems/road/action-plan-and-directive/national-access-points_en)

<sup>41</sup> COM(2020) 66 final.

Delegated Regulation (EU) 2015/962 of 18 December 2014 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services (OJ L 157, 23.6.2015, p. 21); and Commission Delegated Regulation (EU) 2017/1926 of 31 May 2017 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services (OJ L 272, 21.10.2017, p. 1).

<sup>40</sup> [https://transport.ec.europa.eu/transport-themes/intelligent-transport-systems/road/action-plan-and-directive/national-access-points\\_en](https://transport.ec.europa.eu/transport-themes/intelligent-transport-systems/road/action-plan-and-directive/national-access-points_en)

<sup>41</sup> COM(2020) 66 final.

Or. en

#### **Amendment 4**

**Izaskun Bilbao Barandica, Jan-Christoph Oetjen, Dominique Riquet**

#### **Proposal for a directive**

#### **Recital 8**

##### *Text proposed by the Commission*

(8) To ensure a coordinated and effective deployment of ITS within the Union as a whole, specifications including, where appropriate, standards, laying down further detailed provisions and procedures should be introduced, in addition to already adopted specifications. Before adopting any additional or revised specifications, the Commission should assess their compliance with certain defined principles set out in Annex II. Priority should be given in the first instance to the four main areas of ITS development and deployment. During further implementation of ITS the existing ITS infrastructure deployed by a particular Member State should be taken into account in terms of technological

##### *Amendment*

(8) To ensure a coordinated and effective deployment of ITS within the Union as a whole, specifications including, where appropriate, standards, laying down further detailed provisions and procedures should be introduced, in addition to already adopted specifications. Before adopting any additional or revised specifications, the Commission should assess their compliance with certain defined principles set out in Annex II. Priority should be given in the first instance to the four main areas of ITS development and deployment. During further implementation of ITS the existing ITS infrastructure deployed by a particular Member State should be taken into account in terms of technological

progress and financial efforts made. ***If appropriate***, it should be ensured, in particular for C-ITS, that requirements for ITS systems neither impose nor discriminate in favour of the use of a particular type of technology.

progress and financial efforts made. It should be ensured, in particular for C-ITS, that requirements for ITS systems neither impose nor discriminate in favour of the use of a particular type of technology ***but ensuring the compatibility, interoperability and harmonisation of data.***

Or. en

## **Amendment 5**

**Izaskun Bilbao Barandica, Jan-Christoph Oetjen, Dominique Riquet**

### **Proposal for a directive**

#### **Recital 13**

##### *Text proposed by the Commission*

(13) The 2020 study “Mapping accessible transport for persons with reduced mobility”<sup>47</sup> shows that the lack of sufficient data concerning accessibility features currently prevents reliable journey planning when using accessibility aspects as search variables. To further enhance the accessibility of the transport system and facilitate travel for people with disabilities and people with reduced mobility, multimodal digital mobility services ***require the availability of*** data on access nodes and their accessibility features.

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<sup>47</sup> <https://op.europa.eu/en/publication-detail/-/publication/dfa0c844-3b5f-11eb-b27b-01aa75ed71a1>

##### *Amendment*

(13) The 2020 study “Mapping accessible transport for persons with reduced mobility”<sup>47</sup> shows that the lack of sufficient data concerning accessibility features currently prevents reliable journey planning when using accessibility aspects as search variables. To further enhance the accessibility of the transport system and facilitate travel for people with disabilities and people with reduced mobility, multimodal digital mobility services ***need to have*** data on access nodes and their accessibility features ***in accessible formats.***

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<sup>47</sup> <https://op.europa.eu/en/publication-detail/-/publication/dfa0c844-3b5f-11eb-b27b-01aa75ed71a1>

Or. en

## **Amendment 6**

**Izaskun Bilbao Barandica, Dominique Riquet**

### **Proposal for a directive**

#### **Recital 14**

(14) The increased integration of ITS and advanced driver assistance systems, or vehicle and infrastructure systems in general, implies that such systems will rely more and more on the information they supply to each other. That is particularly the case for C-ITS. Such reliance will increase with higher levels of automation. These higher levels of automation are expected to make use of communication between vehicles and infrastructure to orchestrate manoeuvres and smoothen traffic flows, contributing also to more sustainable transport. Compromising the integrity of ITS services could thus have a severe impact on road safety, for example when the wrong speed limit is communicated or a vehicle makes an emergency stop due to a non-existing danger. In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission in emergency situations where the integrity of ITS services is compromised, to adopt countermeasures to address the causes and the consequences of that situation. Those measures should be taken as quickly as possible and be immediately applicable. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>48</sup>. In consideration of the need to ensure continuity of transport, it is appropriate to apply the prolongation of the validity of such measure beyond six months making use of the possibility provided under Article 8(2) of Regulation (EU) No 182/2011. Such countermeasures should end as soon as an alternative solution is implemented or the emergency situation has been resolved.

(14) The increased integration of ITS and advanced driver assistance systems, or vehicle and infrastructure systems in general, implies that such systems will rely more and more on the information they supply to each other. That is particularly the case for C-ITS. Such reliance will increase with higher levels of automation. These higher levels of automation are expected to make use of communication between vehicles and infrastructure to orchestrate manoeuvres and smoothen traffic flows, contributing also to more sustainable transport. Compromising the integrity of ITS services could thus have a severe impact on road safety, for example when the wrong speed limit is communicated or a vehicle makes an emergency stop due to a non-existing danger. In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission in emergency situations where the integrity of ITS services is compromised ***at European level***, to adopt countermeasures to address the causes and the consequences of that situation. ***Where emergencies occur at local or regional level and emergency plans are in place, the competent authorities will take immediate action.*** Those measures should be taken as quickly as possible and be immediately applicable. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>48</sup>. In consideration of the need to ensure continuity of transport, it is appropriate to apply the prolongation of the validity of such measure beyond six months making use of the possibility provided under Article 8(2) of Regulation (EU) No 182/2011. Such countermeasures should end as soon as an alternative

solution is implemented or the emergency situation has been resolved.

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<sup>48</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

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<sup>48</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

**Amendment 7**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Recital 22**

*Text proposed by the Commission*

(22) Member States and other relevant stakeholders, including other Commission expert groups and committees dealing with digital aspects of transport, should be consulted in the drawing up of the working programmes adopted by the Commission under Directive 2010/40/EU.

*Amendment*

(22) Member States, ***the local or regional authorities with legislative powers*** and other relevant stakeholders, including other Commission expert groups and committees dealing with digital aspects of transport, should be consulted in the drawing up of the working programmes adopted by the Commission under Directive 2010/40/EU.

Or. en

**Amendment 8**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Recital 24**

*Text proposed by the Commission*

(24) In order to achieve the objectives of this Directive, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union

*Amendment*

(24) In order to achieve the objectives of this Directive, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union



should be delegated to the Commission to amend the list of data types for which Member States are to ensure the availability of data and to amend the list of ITS services for which Member States are to ensure deployment, for a period of five years starting from the entry into force of this Directive. This period should be tacitly extended for periods of the same duration, unless the European Parliament or the Council oppose such an extension. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and with stakeholders, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>59</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>59</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

should be delegated to the Commission to amend the list of data types for which Member States, *the local or regional authorities with legislative powers* are to ensure the availability of data and to amend the list of ITS services for which Member States are to ensure deployment, for a period of five years starting from the entry into force of this Directive. This period should be tacitly extended for periods of the same duration, unless the European Parliament or the Council oppose such an extension. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level and with stakeholders, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>59</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>59</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

Or. en

## **Amendment 9**

**Izaskun Bilbao Barandica, Dominique Riquet**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2**

Directive 2010/40/EU

Article 2 paragraph 1 point d)

*Text proposed by the Commission*

(d) IV. Cooperative, connected and automated mobility services.;

*Amendment*

(d) IV. Cooperative, **autonomous**, connected and automated mobility services.;

Or. en

#### **Amendment 10**

**Izaskun Bilbao Barandica, Jan-Christoph Oetjen, Dominique Riquet**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 2010/40/EU

Article 4 point 21

*Text proposed by the Commission*

(21) “availability of the data” means the existence of data in a digital machine-readable format;

*Amendment*

(21) “availability of the data” means the existence of data in a digital **accessible** machine-readable format;

Or. en

#### **Amendment 11**

**Izaskun Bilbao Barandica, Dominique Riquet**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 2010/40/EU

Article 4 point 22 a new

*Text proposed by the Commission*

*Amendment*

***(22 a) "Regional or Local Access Point" means a digital interface set up by a competent local or regional authority which constitutes a single access point to the data as defined in the specifications adopted pursuant to Article 6.***

Or. en

#### **Amendment 12**

**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 3 – point b**  
Directive 2010/40/EU  
Article 4 point 23

*Text proposed by the Commission*

(23) “accessibility of the data” means a possibility to request and obtain data in a digital machine-readable format via National Access Points;

*Amendment*

(23) “accessibility of the data” means a possibility to request and obtain data in a digital **acesible** machine-readable format via National Access Points **or Regional or Local ones**;

Or. en

**Amendment 13**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 2010/40/EU  
Article 5 paragraph 1

*Text proposed by the Commission*

1. Member States shall take the necessary measures to ensure that the specifications adopted by the Commission in accordance with Article 6 are applied to ITS applications and services, where those are deployed, in accordance with the principles in Annex II. This is without prejudice to the right of each Member State to decide on its deployment of such applications and services on its territory. This right is without prejudice to Articles 6a and 6b. Where relevant, Member States shall also cooperate on the enforcement of those specifications.

*Amendment*

1. Member States **and/or competent authorities** shall take the necessary measures to ensure that the specifications adopted by the Commission in accordance with Article 6 are applied to ITS applications and services, where those are deployed, in accordance with the principles in Annex II. This is without prejudice to the right of each Member State to decide on its deployment of such applications and services on its territory. This right is without prejudice to Articles 6a and 6b. Where relevant, Member States shall also cooperate on the enforcement of those specifications.

Or. en

**Amendment 14**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 2010/40/EU  
Article 5 paragraph 2

*Text proposed by the Commission*

2. Member States shall also cooperate in respect of the priority areas, insofar as no specifications have been adopted with regard to those priority areas.

*Amendment*

2. Member States **and/or competent authorities** shall also cooperate in respect of the priority areas, insofar as no specifications have been adopted with regard to those priority areas.

Or. en

**Amendment 15**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 2010/40/EU  
Article 5 paragraph 3

*Text proposed by the Commission*

3. Member States shall also cooperate, **where necessary** with relevant stakeholders, on operational aspects of the implementation of and compliance with the specifications adopted by the Commission, such as standards and EU harmonised profiles, common definitions, common metadata, common quality requirements and aspects related to the interoperability of National Access Points' architectures, common data exchange conditions, as well as common training and outreach activities.;

*Amendment*

3. Member States **and/or competent authorities** shall also cooperate with relevant stakeholders, on operational aspects of the implementation of and compliance with the specifications adopted by the Commission, such as standards and EU harmonised profiles, common definitions, common metadata, common quality requirements and aspects related to the interoperability of National, **regional or local** Access Points' architectures, common data exchange conditions, **secure access** as well as common training and outreach activities. **To this end, they will share best practices and develop joint projects, especially in cross-border areas;**

Or. en

**Amendment 16**  
**Izaskun Bilbao Barandica, Jan-Christoph Oetjen, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5 – point a**  
Directive 2010/40/EU  
Article 6 paragraph 5

*Text proposed by the Commission*

5. Without prejudice to the procedures set out by Directive (EU) 2015/1535 of the European Parliament and of the Council\*, the specifications shall, where appropriate, stipulate the conditions in which Member States may, after notification to the Commission, establish additional rules for the provision of ITS services on all or part of their territory, ***provided that those rules do not hinder interoperability.***;

*Amendment*

5. Without prejudice to the procedures set out by Directive (EU) 2015/1535 of the European Parliament and of the Council\*, the specifications shall, where appropriate, stipulate the conditions in which Member States may, after notification to the Commission, establish additional rules for the provision of ITS services on all or part of their territory. ***Such rules may not be proposed or authorised if they would hinder interoperability;***

Or. en

**Amendment 17**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 6**  
Directive 2010/40/EU  
Article 6 a paragraph 1

*Text proposed by the Commission*

Member States shall ensure that for each data type listed in Annex III, data is available for the geographical coverage relative to such data type as early as possible and no later than the respective date set out in that Annex.

*Amendment*

Member States ***and/or competent authorities*** shall ensure that for each data type listed in Annex III, data is available for the geographical coverage relative to such data type as early as possible and no later than the respective date set out in that Annex.

Or. en

**Amendment 18**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 6**

Directive 2010/40/EU  
Article 6 a paragraph 2

*Text proposed by the Commission*

Member States shall ensure the accessibility of that data on the National Access Points by the same date.

*Amendment*

Member States **and/or competent authorities** shall ensure the accessibility of that data on the National, **Regional or Local** Access Points by the same date.

Or. en

**Amendment 19**  
**Izaskun Bilbao Barandica, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 6**  
Directive 2010/40/EU  
Article 6 b paragraph 1 new

*Text proposed by the Commission*

*Amendment*

**6 b new Member States shall harmonise the rules for data exchange at cross-border level in order to increase the efficiency of ITS services along cross-border transport corridors.**

Or. en

**Amendment 20**  
**Izaskun Bilbao Barandica, Jan-Christoph Oetjen, Dominique Riquet**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 14**  
Directive 2010/40/EU  
Article 17 paragraph 3

*Text proposed by the Commission*

*Amendment*

3. Following the initial report, Member States shall report every **3** years on the progress made in the implementation of this Directive and of all delegated acts supplementing this Directive, as referred to in paragraph 1.

3. Following the initial report, Member States shall report every **2** years on the progress made in the implementation of this Directive and of all delegated acts supplementing this Directive, as referred to in paragraph 1.

**Amendment 21**

**Izaskun Bilbao Barandica, Jan-Christoph Oetjen, Dominique Riquet**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 14**

Directive 2010/40/EU

Article 17 paragraph 4

*Text proposed by the Commission*

4. The Commission shall submit, **18** months after each deadline for Member State reports, a report to the European Parliament and to the Council on the progress made in the implementation of this Directive. The report shall be accompanied by an analysis on the functioning and implementation, including the financial resources used and needed, of Articles 5 to 11 and Article 16, and shall assess the need to amend this Directive, where appropriate.

*Amendment*

4. The Commission shall submit, **12** months after each deadline for Member State reports, a report to the European Parliament and to the Council on the progress made in the implementation of this Directive. The report shall be accompanied by an analysis on the functioning and implementation, including the financial resources used and needed, of Articles 5 to 11 and Article 16, and shall assess the need to amend this Directive, where appropriate.