



News from Brussels - November 2020

Hi!

Here is this month's newsletter from Brussels where we take a look at what's going on at the EU level and at relevant news from UITP (The International Association of Public Transport).

COVID-19

Although the COVID-19 crisis remains the main topic of interest for most of us, EU activity related specifically to this issue has not changed significantly. This month, our newsletter will not feature a COVID-19 segment for the first time since March as no major developments or new initiatives have surfaced.

For all of the information on how UITP is helping members share knowledge and coordinate their responses to the crisis, please visit the dedicated webpage [here](#). The UITP COVID-19 Task Force is ensuring that all related knowledge and best practices are easily accessible for members via myLibrary on the dedicated COVID-19 Knowledge Hub: data updated on a weekly basis such as the evolution of ridership or regional data, literature review of scientific research, webinars, operational reports, policy briefs are centralised and organised to respond to UITP COVID-19 Work Programme.

EU legislation and initiatives

As 2020 comes to an end, the EU's legislative activity is on the rise and this month's news is quite dense for the urban, road and rail transport sectors.

The Smart and Sustainable Mobility Strategy

On December 9th, the European Commission is set to publish the long awaited, and highly anticipated, Smart and Sustainable Mobility Strategy. A leaked version of the Strategy has circulated this week. This leaked version has not yet been through the



obligatory interservice consultation within the Commission and is likely to change in some ways.

For now however, it sets out a list of concrete initiatives in all transport sectors and modes including the following proposals that are highly relevant to our own sector:

- *“The ‘polluter-pays’ and ‘user-pays’ principles need to be fully implemented without delay in all transport modes”;*
- *“the Commission will propose further actions to build a European Common Mobility Data Space. The aim is to collect, connect and make available data that so that the policy objectives set out in this Strategy, from sustainability to multimodality, can be met. This would consolidate all EU transport legislations and initiatives that already organise the creation, access to and re-use of data.”*
- *“The EU needs to transform its legal framework to support multimodal travel information, booking and ticketing services, while at the same time looking at the rights and obligations of online intermediaries and multimodal digital service providers selling ticketing and/or mobility services. The Commission will examine whether data sharing, including on fares, in road and rail passenger transport services, and selling arrangements are fit for purpose. Meanwhile, smart and interoperable payment services and tickets require further development; making them a standard requirement in any relevant public procurement contract would promote greater use.”*

The accompanying Staff Working document includes a whole chapter dedicated to public transport. Among other things, it makes the following remarks:

- *“Even during a pandemic, public transport remained the backbone of sustainable mobility and essential to economic recovery.”*
- *“In the future, for example, to improve the attractiveness of the service, local authorities may need to invest in more bus priority lanes and in the service frequency. National subsidies may need to be provided with proper incentives to avoid service reduction and to invest in long-term improvements in the operating infrastructure (such as ticketing and real-time-traffic-information) to ensure a reliable service.”*
- *“There is a positive correlation between cities that have achieved a high share of public transport usage and reduced congestion. However, continuous investments backed by a long term strategy and density to*



stabilize demand are needed. It is equally needed to create the right conditions for public transport to flourish, such as, for example congestion charging or parking management”

As a reminder, you will find UITP’s position paper on the strategy available [here](#).

Clean Vehicles Directive - official guidelines

Published in July 2019, the revised Clean Vehicles Directive requires Member States to ensure that minimum percentages of “clean” and “zero-emission” vehicles will be procured within two reference periods: the first phase from 2021-2025 and the second one from 2026-2030.

The EU recently published official guidelines on how to interpret certain provisions of this Directive, available [here](#). As mentioned in the guidelines themselves, this document:

“presents an overview of frequently asked questions (FAQs) [...] concerning in particular the scope of the Directive, the definition of ‘clean vehicles’, the minimum procurement targets, the counting of the vehicles, and the use of the Tenders Electronic Daily (TED) database under different procurement scenarios (including e.g. retrofitted vehicles, replacement of vehicles in the framework of existing contracts, etc.).”

Revision of the ITS Directive

The revision of the ITS (Intelligent Transport Services) Directive [2010/40/EU](#) has long been announced by the European Commission. Current delegated acts taken under the ITS Directive include Regulation [2017/1926](#) on MultiModal Travel Information Services (MMTIS).

The European Commission is preparing for the revision of the ITS Directive in three different ways :



1. by running a public consultation until February 2nd 2021 ([here](#)) as well as a public workshop on December 15th (see the event description of this workshop below in the newsletter);
2. by appointing a consortium (that includes Ricardo Energy & Environment / TRT / TEPR) to conduct a support study for the revision of the policy framework for intelligent transport systems. The study will provide support to the Commission's own Impact Assessment for the revision of the ITS Directive. The consortium is currently conducting exploratory interviews and has already met with UITP on Nov 30th - *do not hesitate to contact me should you wish to be interviewed by the consultants directly*;
3. separate workshops & consultations on some of the delegated acts - including DG MOVE workshops on barriers to an integrated EU-wide ticketing system (see below for more information on this point).

EU-wide integrated multimodal ticketing

As mentioned previously, the European Commission recently organised three interlinked workshops on the topic of EU-wide integrated multimodal ticketing. UITP, recognised as a relevant stakeholder, took part and responded to all the questions posed in these three workshops. UITP also sent the European Commission a general statement on the consultation process which is available upon request.

Indeed, as part of its Work Programme for 2021 ([here](#)), the European Commission has announced the publication during the third quarter of the year of a legislative initiative on multimodal ticketing. UITP has therefore been meeting with representatives of the European Commission on this issue and is coordinating a joint position paper with other European associations representing public transport authorities and cities. UITP has set up a dedicated working group consisting of ticketing and public affairs experts from EU members. *Should you wish to be a part of this working group, please do not hesitate to contact me.*

Access to vehicle data and RMI technical requirements

The European Commission is carrying out a survey on the topic of "Access to vehicle data and RMI technical requirements". The online questionnaire of the consultants put in charge of the survey is accessible [here](#). The questionnaire will remain open until 3rd December 2020. However, the consultants are also interested in direct



Industry engagement to inform the development of regulatory options for a possible legal framework for access to vehicle data. *Please do get in touch directly with me should your company wish to be interviewed by the consultants.*

The legislative recommendations to be adopted pursuant to this survey will:

- include the amendment of the applicable rules on RMI and OBD, in order to enable working competition for the aftermarket and mobility services and to ensure medium-term customer welfare;
- contribute to the recommendations for possible legislative actions with regards to RMI requirements to allow independent spare part manufacturers fair access to the market.

Driving Licences Directive - Public consultation

On October 28th 2020, the European Commission launched an open consultation ([here](#)) until January 20th 2021 on Directive 2006/126/EC on driving licences. The directive introduces a standard format for all driving licences issued in the EU and sets the conditions for issuing licences such as the minimum age. The consultation is part of an evaluation process aimed at checking whether the directive delivers as intended and remains relevant and fit for purpose.

European Year of Rail 2021

On 12th November, the European Parliament and the Council reached an interinstitutional agreement on designating 2021 as the European Year of Rail. The press release is available [here](#). Both the Council and the European Parliament will now officially adopt the text before publication by the end of the year. The agreement includes a final budget of €8 million. UITP is currently collecting ideas and suggestions of initiatives which could fit into this dedicated Year. *Should you have an initiative planned in 2021, e.g. event, communication campaign, launch of a new information tool, opening of a line/station, let me know: we will let the Commission know, as it may get some EU support (wider communication, Year of Rail label, some funding even if limited...).*



Events in the Brussels bubble

Here is a choice selection of a few events coming up for the Transport sector in December:

1st-3rd December: IT-TRANS - International Conference and Exhibition

Originally scheduled in March, the International Conference and Exhibition on Intelligent Urban Transport Systems is now taking place online this December. More information on the event, on the programme as well as where to buy tickets is available [here](#).

15th December: 1st public workshop impact assessment for the revision of the Intelligent Transport Systems Directive

This workshop follows the public consultation on the revision of the ITS Directive. In this workshop, the Commission and the contractors for the support study (led by Ricardo), will present the rationale behind the revision and the approach to the study. Registration for the event is possible until December 8th [here](#).

17th December: UITP Digital Workshop National Recovery & Resilience Plans: Building-in a robust transport component

The objective of the workshop is to discuss the forthcoming national recovery and resilience plans and their potential impact on the future of sustainable mobility in cities and regions of Europe. Participation in the online workshop is free of charge but registration is compulsory and can be done [here](#).

At the event, UITP will invite key stakeholders from the European Institutions, national governments, and from the European public transport community to discuss and present requirements behind the Recovery & Resilience Facility's green and digital spending targets and concrete investment and reform ideas to achieve a transition to sustainable mobility.



Understanding the EU better - the ordinary legislative procedure

The EU can seem quite far away at times, the legislative procedure can seem obscure and the jargon impenetrable. This is why, every month, we take a closer look at one of the cogs in the EU machinery, in relation with a relevant piece of EU legislation for the public transport sector.

This month, with the publication of new legislative initiatives by the European Commission announced for the month of December, including the Digital Services Act and a Data Governance Framework, **we look at the EU legislative procedure: how are Regulations and Directives adopted at EU level? What happens to an proposal once it is published by the European Commission?**

The founding Treaty of the EU (the Rome Treaty) gave only a very limited role to the European Parliament: it had the right to be consulted, and even then, only on a small number of matters. Subsequent treaties all progressively gave the European Parliament more powers culminating, with the Maastricht Treaty in 1992, in the introduction of the co-decision procedure that gave equal powers in the legislative procedure to the Council and the European Parliament.

There are other legislative procedures than the ordinary one, but as its name suggests, it is the most common one. Most Treaty articles relating to specific competences of the EU will specify which legislative procedure is otherwise applicable.

The ordinary legislative procedure is set out in full in article 294 TFEU (available [here](#) for those looking for some light reading).

The procedure starts with the European Commission submitting a proposal for a legislative act (a directive, a regulation or a decision) to the European Parliament and the Council.

The Council and the Parliament then examine the proposal in parallel. Once the proposal is amended by each co-legislator and both have adopted what is known as a first reading, then they must agree on a common wording and common amendments to the original proposal. They do so via trilateral negotiations called the trilogues (which we looked at more in-depth in a previous newsletter).



This is where the theory laid out in article 294 TFEU and the reality don't quite match up. According to the Treaties, if the first readings in the Council and the Parliament differ, a second reading is required. A Conciliation Committee is then called forward to allow the Parliament and the Council to reach an agreement after this second reading. In reality though, very few legislative proposals ever reach the second reading stage. The trilogues, that involve the European Commission in the search for a compromise solution, almost always lead to an agreement that makes any second reading unnecessary.

Once the text agreed upon during the trilogue meetings is officially adopted during a plenary session of the European Parliament, followed by an adoption in the relevant Council configuration, it is published in the Official Journal of the EU. Only then can it enter into force.

The clearest infographic on this topic is available [here](#). For more in-depth information, you can also visit the European Parliament's dedicated webpage [here](#) that includes a step-by-step explanation of the ordinary legislative procedure, as well as a focus on the main Parliament Actors. The Council also has a webpage [here](#) on this subject that includes a short video on the procedure.

Not a UITP member yet?

As a UITP member, you can share knowledge with a network of more than 200 public transport authorities worldwide. Read more at <https://www.uitp.org/membership-benefits> or contact Camille Roy in UITP: camille.roy@uitp.org

Any questions? Please contact me at annabelle.huet@uitp.org

Kind regards,
Annabelle