News from Brussels - February 2021

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

- **National Recovery & Resilience Plans**

As a reminder, since October 15th 2020, Member States have been able to submit their draft national recovery and resilience plans to the Special "RECOVER Task Force" unit set up within the European Commission and dedicated to the the national recovery plans.

With this in mind, the entire transport sector and industry started a campaign calling on Member States and the EU to ensure it receives «adequate consideration» in these national plans. The signatories include European associations such as UITP and representing transport, infrastructure managers, operators, workers in all transport modes and logistics, contractors, local and regional authorities, logistics service providers, shippers, users, shipyards and equipment suppliers in the maritime sector, ports, inland waterways, railways, road, cycling, aviation, airports and intermodal sectors, as well as supporting industries and companies.

The statement is available [here](#).

- **Official Journal of the EU**

Renewal and extension of certificates in road and rail transport

Regulation (EU) 2021/267 laying down specific and temporary measures in view of the persistence of the COVID-19 crisis concerning the renewal or extension of certain certificates, licences and authorisations, the postponement of certain periodic checks

and periodic training in certain areas of transport legislation and the extension of certain periods, was published in the Official Journal of the EU on 22nd February 2021 (here). The Regulation entered into force as of February 23rd and will apply from 6th March 2021. The Regulation includes measures such as an extension of the time limits provided for in Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles, as well as in the rail sector, an extension of the time limits provided for in Directive (EU) 2016/798 on railway safety. The institutions agreed on extending the relevant time limits for a period of 10 months.

- UITP actions

UITP Europe keeps an active register that overviews all the National Recovery and Resilience Plans (NRRP), and is interested in hearing about your own NRRP. This comparative overview of national plans has recently been updated and is available on demand to UITP members.

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 or contact Artur Perchel for more information on the NRRPs.

EU legislation and initiatives

As announced in the last newsletter, and as you will see below, a lot of new legislative proposals have flourished in the past few months. 2021 will be a very busy year for the transport sector at EU level!

The Smart and Sustainable Mobility Strategy

On December 9th, the European Commission published the Smart and Sustainable Mobility Strategy. The full Strategy is here with the accompanying Commission Staff working document here.

UITP has published this month its final detailed comments on the strategy available here where it calls, among other things, for the deployment of bus recharging and refuelling

infrastructure to become a priority and points in particular to the importance of a life-cycle analysis of electric mobility. UITP also considers in these comments that the role of public transport should be much clearer and further strengthened in the Mobility Strategy and in upcoming initiatives.

The European Economic and Social Committee (EESC) and Committee of the Regions (CoR) are both planning to publish an opinion on the Strategy (here and here) and are looking for feedback from industry and sector-relevant stakeholders.

European Green Deal and Clean bus ambitions

UITP, EMTA and POLIS addressed an open letter to the European Institutions on the need to reflect clean bus ambitions across the EU financial instruments and programmes. Indeed, the EU's Connecting Europe Facility (CEF2) Digital programme (here) does not currently include vehicles or vessel procurement, except for inland waterways, in the list of alternative fuels infrastructure efforts it will fund. The three organisations insist that if this were to be confirmed, then *"the renewal of bus fleets for the benefit of cities, regions and their transport authorities should be supported by other European funding and financing programmes available."*

HOW TO DESIGN TENDERS FOR E-CHARGING INFRASTRUCTURE - NEW HANDBOOK FOR PUBLIC AUTHORITIES

The Sustainable Transport Forum (STF) expert group has drawn up a set of recommendations for public authorities procuring, awarding concessions, licenses and/or granting support for electric recharging infrastructure for passenger cars and vans (M1 and N1 category of vehicles according to UNECE standards). The handbook and recommendations are available here. The STF was set up to assist the European Commission in implementing the Union's activities and programmes aimed at fostering the deployment of alternative fuels infrastructure. More information on the STF is available here.

Codification of the Directive on the initial qualification and periodic training of drivers of certain road vehicles

On 1st February, the European Commission published a proposal for a Directive on the initial qualification and periodic training of drivers of certain road vehicles (here with the annexes

here). This is **not** a new Directive but a codification of existing legislation. According to the European Commission, «*this proposal fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.*» The new Directive will supersede the various acts incorporated in it including Directive2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers which applies to urban transport.

Bus and coach drivers – EU rules on driving and rest times

The European Commission published an Inception Impact Assessment on the needs for specific driving and rest time rules for drivers in occasional transport of passengers by bus or coach, services that are most common in the tourism industry. A public consultation will be available soon here. Directive 2003/88/EC on general working time, which covers drivers operating "regular lines under 50 km", meaning most urban public transport drivers, does **not** fall under the scope of this impact assessment and consultation.

Joint opinion on EU-wide integrated ticketing

UITP, EMTA and Polis have published a joint opinion on EU-wide integrated ticketing that was submitted as feedback in the context of the European Commission's public consultation on the revision of the ITS Directive. A joint press release was published on Friday 19th February (here) and sent to the general and specialised press. This joint opinion will be used for lobbying purposes in the context of multiple upcoming legislative initiatives of the European Commission, including: the revision of the ITS Directive (here), plans for legislation on EU-wide integrated ticketing (as foreseen in the Smart and Sustainable Mobility Strategy), the proposal for a Data Governance Act (here), the future proposal for a Data Act (on B2B and B2G data sharing) and the proposal for a Digital Services Act (on platform liability – here).

A public event for both relevant stakeholders and EU officials will be held to introduce and explain the joint opinion on 24th March at 4pm. A precise agenda for the event as well as a link will be provided in the coming weeks. Do not hesitate to get in touch should you be interested in taking part in this event.

European Year of Rail 2021

The European Year of Rail 2021's main objective is to promote the use of rail passenger and freight transport across the EU. As such, a number of events are being organised by industry

stakeholders over the next year. At the end of last year, UITP submitted to DG MOVE a number of projects, including the following:

- an EU wide communication campaign to regain the trust of passengers in the COVID-19 context
- an update of UITP's statistics on regional, suburban, and urban rail (brochure)
- a workshop on rail passenger rights, co-organised with the European passenger federation
- a publication on rail success stories, gathering good examples on urban, suburban, regional rail services.

Should you wish to know more about the projects put forward by UITP, please contact: anne-laure.lemerre@uitp.org.

Please note that the European Commission, together with the Portuguese presidency of the Council, is preparing an official information event on 29th March.

Understanding the EU better – the EU's transparency register

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, we look a little more in detail at **how the EU has attempted to track the work and influence of lobbies and interest groups at European level through the transparency register.**

It is not a secret that EU legislation is subject to a lot of lobbying and that interest groups put in a considerable amount of time and money into trying to influence the outcome of certain regulatory changes at EU level.

What isn't as well known is that the European Commission created a tool some time ago that gives it, as well as concerned citizens, the possibility to monitor exactly *how much* time and money is being spent on these lobbying activities.

The transparency register (here) allows interest groups to declare the goals and remit of their organisation as well as the main EU legislative proposals or policies they target. Crucially, it also allows these groups to indicate the number of persons involved in lobbying activities and give an estimate of the annual costs related to these activities.

While registering as a lobby is not compulsory to meet with EU officials for instance, it does give these groups the possibility to acquire **accreditation for access to European Parliament premises** (extremely important as a lobby). It also entails signing up to a Code for conduct that as an interest group, allows them to certify that they comply with a certain standard of behaviour in all their relations with the EU institutions.

Issues with the transparency register

First of all, the transparency register only applies to lobbying activities carried out at the European Commission or the European Parliament. None of the other institutions, and crucially, not the European Council and Council of the EU, have signed the interinstitutional agreement that led to the establishment of the register.

➢ *This means that it is very hard to track the influence of certain interest groups in the Council which should be a priority since the Council is a co-legislator.*

Second, as mentioned before, it is not compulsory to register as a lobby. Granted, this will mean no access to European Parliament premises, but a lot of meetings pre-COVID took place outside of Parliament in the cafés nearby. These meetings outside of the institutions are also a way for Members of the European Parliament or Commission officials to avoid scrutiny as they do not have to declare them in the register.

➢ *This means that it is very hard to keep track of all the influence that happens in Brussels outside of the EU institutions. Given the number of dinners, receptions, coffee breaks etc that used to take place, this is a particularly big issue.*

Third, only certain high-ranking Parliament and Commission officials need to keep track of who they meet with. For instance, a meeting with a Commissioner will always be flagged and inscribed in the transparency register. However, a meeting with a Unit director of the European Commission, or a meeting with a Parliamentary assistant need not be mentioned in the register.

➢ *This means that the people who actually draft the legislation, even though they don't take the final big political and policy decisions, are subject to no scrutiny and yet are often under intense pressure from interest groups.*

Finally, since each organisation is required to register separately, the Transparency register does not give a general picture of the influence of some players in Brussels.

Broadly speaking, there are three main ways of lobbying:

- via in-house company lobbyists
- via an association or "interest group" that gathers players with similar interests
- via consultants that are hired usually to work for one or more companies on specific projects or one-off topics.

Some companies use all three methods to try to influence the outcome of legislation. Some will even create dozens of new associations or even think tanks under their control. This allows them to disguise the real amount of money they are spending on lobbying and outsmart the Transparency register.

For more information on the Transparency register and lobbying at EU level, the NGO Transparency International EU has it all here. They've also created an "integrity watch" here that allows you to see which politicians and high-ranking EU officials meet with the most lobbyists.

Publications

- **Green H. Böll Foundation - The Mobility Atlas**

This Atlas presents an analysis of the key facts and figures around mobility in Europe. It highlights the main trends in mobility such as the boom of the cycling industry and the uptake of digital tools. It also looks at the consequences of the COVID-19 crisis and finds that:

> "*While air traffic decreased and the use of bicycles increased, there has also been a strong negative shift from shared transport to individual transport. If this change prevails, a great deal of earlier efforts to reduce GHG emissions in the transport sector will be nullified.*"

The study is available in full here.

- **ENISA - Cybersecurity challenges in the uptake of Artificial Intelligence in autonomous driving**

The European Agency for Cybersecurity (ENISA) published a report that looks at cybersecurity risks connected to Artificial Intelligence (AI) in autonomous vehicles and provides recommendations for mitigating them. The report is available here.

- **ENISA - Data Pseudonymisation: Advanced Techniques and Use Cases**

ENISA also recently published a report on pseudonymisation for personal data protection, providing a technical analysis of cybersecurity measures in personal data protection and privacy. Indeed, according to the General Data Protection Regulation, *"The application of pseudonymisation to personal data can reduce the risks to the data subjects concerned and help controllers and processors to meet their data-protection obligations."* The report is available here.

- **EP TRAN Study - Transport infrastructure in low-density and depopulating areas**

The European Parliament's Transport Committee commissionned a study on transport infrastructure in low-density and depopulating areas that was published earlier this year. Selected regions for the case studies include Övre Norrland in Sweden. The study is available in full here.

Events

- **ENISA-ERA Conference: Cybersecurity in Railways**

On 16th & 17th March, the European Agency for Cybersecurity and the European Railways Agency are organising a joint virtual event on Cybersecurity in Railways. The conference will bring together experts to discuss the latest cybersecurity developments and challenges that the sector is facing. More information and registration details are here.

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