

News from Brussels – February 2022

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

State Aid

The Commission recently published a report on the use of COVID-19 related State aid measures by EU Member States during the first semester of 2021. Indeed, over the two years nearly of the COVID-19 crisis, the European Commission has adopted 6 Temporary frameworks on State aid in order to adapt to the exceptional circumstances and Member States have put in place unprecedented levels of support to keep companies afloat through the various waves of the pandemic. The brief is available [here](#) in English only.

EU legislation and initiatives

February might be the shortest month of the year, it still remained a very busy month which saw the Commission finally publish its long awaited proposal for a Data Act and other consultation processes continue full speed ahead.

Alternative Fuels Infrastructure Regulation

The proposal for an Alternative Fuels Infrastructure Regulation, which will revise the current Directive in place, and which was part of the Commission's Fit for 55 package published in the summer 2021, is now in the process of being examined in the European Parliament. The Transport and Tourism Committee (TRAN) of the European Parliament has the lead on this proposal and recently published its draft report. For more information on the procedure itself, see [here](#).

As a reminder, UITP's position on this file is available [here](#). The objective of our lobbying is to clearly link the new Regulation to the Clean Vehicles Directive by ensuring the list of fuels remains unchanged to ensure regulatory stability.

Proposal for a Data Act

On February 23rd, the European Commission published its long-awaited proposal for a Data Act. The press release as well as the relevant legal text and an official factsheet are available [here](#).

The proposal for a Data Act includes:

- Measures to allow users of connected devices to gain access to data generated by them: this includes autonomous vehicles in relation to our sector;

- Means for public sector bodies to access and use data held by the private sector that is necessary for exceptional circumstances: it remains to be seen whether this would allow public transport authorities to require access to certain data from operators on its territory.

A detailed analysis of the proposal will follow in the next newsletter.

Multimodal Digital Mobility Services

This year will see the Commission take all the necessary steps in order to advance its plans with regards to multimodal digital mobility services (MDMS). At the end of last year, the Commission published its Inception Impact Assessment that was open for feedback for 4 weeks. Then it published an online public consultation that closed on February 23rd. UITP and its Nordic members provided feedback to both of these consultations available [here](#). At the same time, the Commission has given a consortium of consultants the task of conducting an impact assessment for the future legislative proposal on MDMS. These consultants will most likely launch a stakeholder survey in March that will last 6 weeks. They will also be holding three stakeholder workshops, the first of which took place online last month. They will be aided in their work by the Multimodal Passenger Mobility Forum ([MPMF](#)), a group of industry and sector experts put in place by the Commission at the beginning of this year. The Forum met for the first time on February 23rd and will be meeting regularly in the next few months. UITP and more than a dozen of its members are members of the Forum and will be very vocal to ensure the specificities of local transport, multimodal by nature, are taken into account.

Road safety: Call for expressions of interest - Workshops on driving licences directive

The European Commission is planning to organise three consultation workshops to collect positions in view of preparing a possible revision of the current Directive on driving licences adopted in 2006. The call for expression of interest to take part in these workshops is available [here](#). Each workshop will tackle a specific element of the EU driving license rules:

- Workshop 1: training, testing and vehicle categories (deadline for expression of interest 28 February 2022)
- Workshop 2: issuance and mutual recognition of driving licenses (deadline for expression of interest 28 March 2022)
- Workshop 3: driving disqualifications and fitness to drive (deadline for expression of interest 18 April 2022)

UITP took part in Workshop 1 in order to put forward the issue of the minimum age of drivers for driving licence category D.

EP TRAN - Presentation of the Council Presidency's programme

The French presidency presented its priorities and work programme on transport-related issues to the European Parliament TRAN Committee members on 2nd Feb. Among the priorities discussed with the Members of the European Parliament, the Fit for 55 package and the ITS directive are of particular note. We know for instance that work on the ITS Directive has progressed considerably in the Council working groups and that some countries have expressed their worry at a potential new obligation to create data. An informal meeting of the Transport Council also took place on

February 21st & 22nd with the aim of reaching a consensus between Member States on the Fit for 55 package before the end of June. The French Minister for Transport stressed that the three keywords and priorities of the French presidency are thus to decarbonise, to regulate, and to innovate. The video of the presentation is available in full [here](#).

European Disability Card

The EU Disability Card ensures equal access to benefits across borders for people with disabilities in the areas of culture, leisure, sport and transport. The card is mutually recognised between EU countries participating in the system, on a voluntary basis.

A pilot ran in 8 Member States (Belgium, Cyprus, Estonia, Finland, Italy, Malta, Romania and Slovenia) between 2016 – 2019. Following this, in its Strategy for the Rights of Persons with Disabilities 2021-2030, the European Commission proposed creating a European Disability Card by end of 2023 with a view to be recognised in all Member States. The card should build on the experience of the pilot project. Discussions have now started on the scope, shape and content of such card.

UITP should be part of the discussions and as such would like to kick start internal discussions on what the card should look like, which benefits it should grant, what would be the conditions to get it, contributing thereby to the Commission's discussions. Please therefore, don't hesitate to let me know should you be interested in taking part in these discussions and meetings!

Understanding the EU better – the Commission's consultation process

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 online public consultation on Multimodal Digital Mobility Services, as well as the first meeting of the Multimodal Passenger Mobility Forum we take a closer look at the Commission's consultation process. How and when does the Commission consult relevant stakeholders when drafting legislation?

Who does the Commission consult?

The Commission has the obligation to consult certain institutional stakeholders such as the Committee of the Regions or the European Economic and Social Committee before taking decisions on matters set out in the Treaties, including on matters concerning the Trans-European transport, telecommunications and energy networks (Article [172](#) TFEU).

The Commission also systematically sends certain documents to national Parliaments for information (if not always for consultation). They include legislative proposals, green and white papers, communications, the annual legislative programme and other planning or policy documents. It must also consult national parliaments when the proposal concerns any competence that isn't an EU exclusive competence. Indeed, this allows national Parliaments to check if action should be taken at EU level (the subsidiarity principle). This process is called the subsidiarity

control mechanism and may trigger the 'yellow' or 'orange' card procedures. We will take a closer look at this control mechanism in a future newsletter.

Additionally, as part of its pledge for more transparency in the legislative process, the European Commission has also formally committed to consulting other relevant stakeholders such as companies, associations etc., and even concerned citizens of the EU.

How does the Commission conduct its consultations?

This formal consultation of a wider panel of stakeholders takes place online, via open public consultations on the following webpage: https://ec.europa.eu/info/consultations_en .

The Commission also organises workshops with relevant stakeholders and led by the relevant Policy Officers of the Unit in charge of the proposal. These online or in-person workshops are either open to the public or on an invitation-only basis.

Finally, the Commission can sometimes also organise surveys and workshops via the consultants it usually hires to conduct the impact assessments of its proposals.

At what stage of the legislative process do these consultations take place?

The Commission formally consults stakeholders online at least twice before it publishes a definitive proposal for legislation:

- during the initial phases of drafting, on a document it calls a Roadmap, or sometimes an Inception Impact Assessment. This consultation only lasts for 4 weeks as the document is often short and quite vague. It focuses on the policy objectives pursued by the upcoming proposal for legislation. Stakeholders can submit a general feedback on the overall document on the online platform;
- once it has a clearer idea of the shape and content of its policy initiative, the Commission also consults stakeholders via the online public consultations and workshops mentioned above;
- finally, as it publishes the definitive proposal for legislation, stakeholders often have a couple of weeks online to give their initial feedback on the final text.

Is this consultation process important?

It can be.

It *is* when for instance the sector is heavily divided on an issue and the European Commission has no clear roadmap of how to achieve its objectives. In that case, taking part in this often painstaking consultation process can be extremely useful for stakeholders. In some cases even it can be useful to take part in the national Parliaments' or CoR's consultations to try and influence their own contributions to the mandatory consultations the Commission carries out.

It *isn't* when the Commission's goals are very clearly defined and there is a very obvious way of achieving them. In that case, even a strong opposition coming from the concerned sector will be of no match. The consultation process will then be designed in a way that no real opposition is possible and the Commission will use it to point in the direction it was aiming for in the first place.

In any case, taking part in the consultation process remains important mainly because it gives the stakeholder continued visibility and will most often allow it to stay in the loop.

Events

- **23rd March 2022 : the 7th Annual Future of Transport Conference**

The annual Future of Transport conference is taking place both online and in person on 23rd March. Key themes this year include “Achieving an interconnected multimodality transport ecosystem”, “Sustainable mobility and decarbonisation in Europe” and of course Digitalisation. Confirmed speakers include European Commission representatives from DG MOVE. The panel of speakers however indicates an event much more focused on the industry side of the sector than the operator or authority. More information on the event is available [here](#).

- **14th March 2022 : Autonomous Vehicles: Full speed ahead towards sustainable and digital mobility?**

The European specialised media Euractive is organising an online event on Autonomous Vehicles on 14th March. This event will, among other things, focus on the European Commission's strategy on Connected and Automated Mobility. Invited speakers include the Finnish Member of the European Parliament, Henna [Virkkunen](#). More information on the event is available [here](#).

Publications

- **UITP - The rural mobility challenge for public transport: How combined mobility can help**

Earlier this year, UITP published a report on “The rural mobility challenge for public transport: how combined mobility can help.” The study focuses mainly on the Global North and contains takeaways as a contribution to push the discussion of public transport in peri-urban and rural mobility into the mainstream, covering different degrees of rurality from the urban fringes to remote areas. The brief is available [here](#).

- **European Court of Auditors - Energy taxation, carbon pricing and energy subsidies**

In January this year, the European Court of Auditors published a study looking into how energy taxes, carbon pricing and energy subsidies fit with EU climate objectives. According to the report:

*«Energy taxation can support climate efforts, but **current tax levels do not reflect the extent to which different energy sources pollute**. Renewable energy subsidies have almost quadrupled over 2008-2019, while fossil fuels subsidies have remained stable. Fifteen Member States spend more on fossil fuel than on renewable energy subsidies.»*

In the context of the Commission's proposal for a revision of the Energy Taxation Directive published as part of the Fit for 55 package, this report is particularly important. It outlines challenges faced by policymakers when updating energy taxation and subsidies policies: ensuring

energy taxation consistency across sectors and energy carriers; reducing fossil fuel subsidies, and reconciling climate objectives with social needs. The study is available in full [here](#).

- **Committee of the Regions - EU must support every region, city and village to deliver zero transport emissions by 2050**

The Committee of the Regions (CoR) of the EU recently invited the Commissioner for Transport, Adina Valean, to a plenary debate on the EU's climate transition goals. During the debate, the [CoR](#) warned that support by EU local and regional leaders for the European Green Deal risks being undermined if key sectors of the local economy are left behind by the transition to a more sustainable future. Based on an [opinion](#) already adopted on stronger CO₂ emission standards for cars and vans and the deployment of alternative fuel infrastructure for cities and regions in the EU, CoR members in particular highlighted the need for equal treatment between urban and rural areas. The press release and video of the event are available [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