

## RTTI delegated regulation provision

**POLIS** is the network of European cities and regions working together to promote sustainable mobility and transport innovation. POLIS fosters cooperation and partnerships across Europe to make transport research and innovation more accessible to cities and regions. POLIS members are provided with the requisite information and tools for making sustainable mobility policies a reality.

The revision of the RTTI delegated regulation is particularly relevant to POLIS members (i.e. European city and regional authorities) as it creates many new obligations and opportunities due to the proposed extension of the geographical scope to all roads, particularly urban roads, the inclusion of new data sets, including UVARs and in-vehicle data, and the definition of crucial data. While these provisions may support the further development of EU-wide traffic information services, they raise a number of concerns that need to be addressed and are presented in this opinion.

POLIS has been following the development of the ITS Directive and the RTTI regulation since the outset. We are pleased to see that the revised regulation has taken on board some key messages that POLIS has been communicating over the years, notably that it:

- Acknowledges the challenges that public authorities face in digitising processes by limiting the scope of regulation to data that already exists in a machine-readable format.
- Proposes a phased approach to the implementation of the regulation, giving urban areas more time to comply.
- Requires service providers to re-use specific strategic data sets in their information services, thereby ensuring that (i) public money and efforts spent in making data accessible on NAPs is well spent; and (ii) societal goals can be achieved. *POLIS seeks clarification on the mediation mechanisms for non-compliance.*
- Offers a more balanced regulation that supports the tasks of public administrations and not just the driver information services business, by including in-vehicle data for traffic and asset management under FRAND conditions.

## Comments on the proposed revision of the revised delegated regulation

### Extension of geographical scope

From a traffic management perspective, public authorities give most attention to the main roads that carry the greatest volumes of traffic. There is therefore a great deal of infrastructure and traffic data available on these roads, which cannot be said about local secondary roads.

The text does acknowledge “the high investment needed to digitise processes and/or deploy new sensors”, which has resulted in a decision to exclude data collection from the revised regulation. This is particularly the case on local roads for which very little data is available. *POLIS recommends that (i) the text reflects this reality and limits the geographical scope of the revision to the main road network in urban areas, following a common definition; and (ii) the revised regulation should also make specific reference to the challenges of data collection and availability for local roads (be that in cities or in rural areas).*

### **Data quality**

Public authorities support data sharing, as evidenced by their open data activities, and they are making steps towards improving data quality. However, they are not able to deliver data according to specified service levels as the regulation is pushing for. This is not a technical issue, but rather an organisational matter – the way data is collected today does not allow quality by design. To address this, local governments would have to introduce major changes in data governance, which would incur additional efforts and costs. There needs to be a discussion and agreement on the additional funding that should be made available to public authorities to enable the quality level to be raised.

In reference to the quality of data, the text states that data quality requirements should be defined by cooperating members. *POLIS would like to know how will data quality service levels be defined.*

### **In-vehicle data**

The inclusion of access to in-vehicle data under FRAND conditions for traffic and asset management purposes is welcomed by public authorities. It offers a rebalancing of the RTTI regulation, which has hitherto been weighted in favour of commercial information service providers.

To further exploit its potential, access to in-vehicle data under FRAND conditions should be extended to other areas, particularly safety. For instance, access to repetitive emergency braking data at a particular spot on the road network could enable pre-emptive risk assessment and infrastructure measures being implemented before an accident happens.

The current text does not specify which in-vehicle data can support the traffic and asset management task of public authorities. To avoid a situation whereby public authorities are only given access to less than optimum data under FRAND conditions, *POLIS recommends that premium data services be prohibited for all data that supports traffic and asset management (and potentially road safety too). Public authorities on their side should be required to provide proper justification that a given data set can support their management tasks and therefore warrants the FRAND condition. POLIS welcomes the*

*establishment of a task force to agree on which data sets are most relevant and to establish the FRAND framework.*

In reference to this type of data, the draft states that 'in-vehicle generated data' means any data created by the vehicle or by on-board ITS-applications while the vehicle is in use. We would welcome the extension of this provision to user-generated data on mobile devices in the vehicle. We also welcome clarification on the types and use of vehicles that are covered by this directive, e.g. passenger cars, taxis, buses, lorries?

### **Repercussions of a revised ITS Directive**

The ITS Directive is currently being revised to expand its priority areas in order to accommodate and accelerate the roll-out of new technological services. Should the scope of the imminent revised ITS Directive be extended to data collection ('data availability'), clarity is needed on the potential repercussions for the RTTI delegated regulation. For instance, what is the prospect of 'crucial data' collection within the revised RTTI delegated regulation becoming mandatory?

*Reassurances are sought that a revised ITS Directive will not alter the obligations of the revised delegated regulation, nor be applied retro-actively.*