

Comment

# Revision of the ITS Directive

Proposal of the EU Commission



#weareready

Berlin, May 2022

## The VDA position

In general, the ITS directive primarily represents a work program for the Commission by creating a legal basis for the adoption of delegated acts<sup>1</sup>. A final evaluation of the directive is therefore only in principle possible once these acts are available. In the future, the EU Commission should involve such stakeholders as the industry even more closely in the development of specifications and the creation of regulations based on the ITS directive.

The VDA comments on individual points in the present proposal below.

<sup>1</sup> DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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 (14.12.2021)

## Availability of Data

While the VDA welcomes the increasing availability of data in principle, it also shares the Commission's assessment that the ITS directive has yet to lead to comprehensive, EU-wide provision of infrastructure data, for example. To what extent the new version of the directive will lead to improvements in this regard cannot yet be conclusively assessed. Thus, the specifications regarding the data sources and the question of how the data is to be made available to all those involved (Member States, infrastructure providers, industry) such that new ITS services can be developed on this basis as these are still ambiguous. Much will also depend on the Commission's revision or creation of new specifications and/or delegated regulations, but also on their concrete implementation and application among the Member States. Data ecosystems need data and a sustainable value chain. The EU Commission should set the framework to enable business models with data and at the same time allowing for sharing of e.g. safety relevant data. Such business models require a careful adjustment to the overall value creation ecosystem by data generators, data processors and data users.

A special focus should be on the provision of data for National Access Points (NAPs); the specifications adopted by the Commission under this directive should not be forced to re-use data made available by NAPs.

In addition, it is the VDA's view that the Parliament and Council reassess in a subsequent step as to whether delegated acts or a regular co-decision procedure is the appropriate way to extend Annexes III and IV.

If vehicle-generated data is to be collected (as part of delegated acts); if the technical access is to be uniform at EU level: the VDA has published the ADAXO concept in this context, describing secure access to vehicle data according to FRAND principles.

<https://www.vda.de/vda/en/news/publications/publication/adaxo--automotive-data-access---extended-and-open>

In general, VDA requests that the legislator should align the partially overlapping and concurring data initiatives which were introduced in the past 12 month such as Data Act, Data Governance Act, Access to in vehicle data, etc.

## National Access Points

It is fundamentally correct that the Commission's proposal envisages adopting regulations to the National Access Points (NAPs) in the ITS directive itself. However, it is the VDA's view that a greater harmonization is necessary. The NAPs should be further developed correspondingly.

The VDA further points out that the NAPCORE Initiative should be strengthened as some delegated acts as the RTTI (Real Time Traffic Information) will become mandatory soon with no further explanation on how the required data will be made available.

To reach the goal of the ITS Directive and the delegated Act on RTTI to provide the required data to all authorities and all ITS stakeholders across the European street network a harmonized procedure is necessary. Therefore, the interaction and cooperation between the NAPs

with national mobility data spaces (e.g., Mobility Data Space, Germany) and at EU level (European Mobility Data Space) need to align. The VDA requests to strengthen the efforts to a more intensive integration and utilization of these initiatives as this will be key to the targeted improvement of Europe-wide ITS deployment.

## Delegated Acts

As the EU Commission is empowered to adopt specifications for Real Time Traffic Information (RTTI), eCall, Safety Related Traffic Information (SRTI), Multimodal Travel Information via delegated Acts (Art. 2), the VDA recommends that these specifications should be adopted in a coherent and predictable manner.

The VDA points out that especially the urgency for further development of eCall and SRTI has not yet been sufficiently taken into account. There is a need to guarantee interoperability over lifetime within ITS services.

In order to ensure predictability for all stakeholders of ITS the Commission should consult experts designated by each relevant private stakeholder prior to adopting a delegated act.

## Technology Agnostic Approach

The VDA believes that the addition of the principle of technology agnosticism will enhance regulatory coherence and legal certainty. Furthermore, with focus on the principle of functional compatibility and interoperability on service-level there is no requirement for regulation on technology specific levels. Listing it among the principles will ensure that technology agnosticism is appropriately reflected in future EU (secondary) legislation related to ITS. If the Commission indeed recognizes the importance, potential and developments of new technologies in Recital 8, it should not be an issue to strengthen the political message for non-discrimination by guaranteeing it via a legally binding provision in Annex II. The VDA suggests that all participants in ITS work jointly to support the alternative implementation paradigms leading to the desired technology agnostic approach, where appropriate.

## C-ITS

In the VDA's view, the area of application of C-ITS needs to be clarified, especially concerning the definition of the EU C-ITS security credential management system (Art. 10a). The VDA sees the need to concretize further details of the C-ITS trust model regarding compliance with standards (e.g., data quality). Moreover, a concretization of the trust model should be extended in particular to cover trust in data quality and security and/or also consider these aspects. In addition, all developments need to be harmonized regarding activities on UNECE level.

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