

Dear Sir/Madam,

We are addressing you, because you are a road operator, road authority, digital map producer, traffic information service provider and/or an organisation responsible for the assessment of compliance or National Access Point as mentioned in the Commission Delegated Regulation (EU) No. 2015/962<sup>1, 2</sup>.

Delegated Regulation No. 2015/962 establishes the specifications necessary in order to ensure the accessibility, exchange, re-use and update of road and traffic data by road authorities, road operators and service providers for the provision of EU-wide real-time traffic information services in accordance with Directive 2010/40/EU. The Delegated Regulation requests Member States to manage a national access point for real-time traffic data as specified in the Delegated Regulation.

The Delegated Regulation also describes the obligation of Member States to carry out an assessment of compliance with this delegated regulation. Therefore, Member States may request from road authorities, road operators, digital map producers and service providers specific documents describing the type of data they handle and the quality thereof as well as an evidence based declaration of compliance with the requirements set out in Articles 3 to 10 of the Delegated Regulation.

This letter and attached documents provide an EU-wide harmonised approach towards the assessment of compliance for Delegated Regulation No. 2015/962.

### ***Why a harmonised approach?***

Without a harmonised approach, road authorities, road operators, digital map producers and service providers run the risk that -if operating in more than one country- they will have to submit a declaration of compliance in different formats, different languages, under a variety of different rules.

Similarly, the organisations responsible for carrying out the assessment of compliance could possibly be facing discussions with a whole range of road authorities, road operators, digital map producers and service providers that operate within their territory, that might submit their own declarations of compliance in different languages and in a variety of formats.

During a series of dedicated TISA/EU EIP sessions<sup>3</sup> and a workshop<sup>4</sup> with Member State representatives, road operators, service providers and data suppliers on the topic of assessment of compliance and how to ensure clear guidelines on applying the Delegated Regulation at the national level, this problem was identified and discussed. All stakeholders

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<sup>1</sup> Commission Delegated Regulation (EU) No. 2015/962 of 18 December 2015 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services.

<sup>2</sup> For more information on the ITS Directive and the various Delegated Regulations see:  
[https://ec.europa.eu/transport/themes/its/road/action\\_plan\\_en](https://ec.europa.eu/transport/themes/its/road/action_plan_en)

<sup>3</sup> Joint TISA/EU EIP sessions to discuss the self-declaration for priority action 'B' on 15 June 2017, 12 July 2017, 7 September 2017 and 25 September 2017

<sup>4</sup> Joint TISA/EU EIP workshop, 20 November 2017, Brussels.

that participated in the workshops agreed and recognised the urgent need for a 'Uniform Declaration of Compliance Form', that would be accepted by all parties.

### ***Uniform Declaration of Compliance Form***

Through a joint effort of TISA<sup>5</sup> and EU EIP<sup>6</sup> a Uniform Declaration of Compliance Form has been developed for Delegated Regulation (EU) No. 2015/962<sup>7</sup>. This uniform Declaration of Compliance Form is based on the Declaration of Compliance Form for Safety Related Traffic Information (886/2013), which was agreed upon in February 2017. The Uniform Declaration of Compliance Form was then discussed with the stakeholders (public and private). First of all, it was ensured that the Declaration of Compliance Form would be in line with the (minimum) requirements set out in article 11 of the Delegated Regulation. Secondly, the form was developed in such a way that the administrative burden for all parties involved will be minimized, but nevertheless providing sufficient information for a solid assessment of compliance. This has resulted in two different Declarations of Compliance, based on the different requirements for the various parties mentioned in the Delegated Regulation (EU) No. 2015/962:

- One Declaration of Compliance for road authorities and road operators;
- One Declaration of Compliance for digital map producers and service providers.

In case an organisation fulfils the role of both road authority/road operator and service provider, this organisation has to complete both forms.

Last, but not least, an explanatory note was drafted, providing more insight in those aspects of the Delegated Regulation that -following the discussion with the stakeholders- were deemed to be in need of additional explanation.

### ***How to use this Uniform Declaration of Compliance Form?***

The stakeholders recommend that this Uniform Declaration of Compliance Form will be used from now on by all road authorities, road operators, digital map producers and service providers across Europe as the only form for declaration of compliance. This means that one Uniform Declaration of Compliance form can be used per country, as well as that one Uniform Declaration of Compliance form can be used for a number of countries (jointly).

Similarly, the national organisations responsible for the assessment of compliance can use this Uniform Declaration of Compliance Form as the standard Declaration of Compliance form in their country. They can use the English form and simultaneously make a translation into their own national language. Road authorities, road operators, digital map producers and service providers can use either the English language form or the national language form.

This form should be used only for the purpose of the assessment of compliance. Forms should not be published without prior consent of the organization that completed the declaration of compliance.

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<sup>5</sup> Traveller Information Services Association, [www.tisa.org](http://www.tisa.org)

<sup>6</sup> European ITS Platform, [www.its-platform.eu](http://www.its-platform.eu)

<sup>7</sup> That form can be downloaded here: [https://www.its-platform.eu/filedepot\\_download/1980/5870](https://www.its-platform.eu/filedepot_download/1980/5870)

Member States adopting these Uniform Declarations of Compliance should add the organization name and address of the organization responsible for the assessment of compliance at the bottom of the Declaration. In this way road operators, road authorities, digital map producers and service providers know where to send the Declaration to and/or who to contact for further information.

#### ***Evaluation of the Uniform Declaration of Compliance Form after 3 years***

At the moment of writing (October 2017) not all countries have established a National Access Point as described in Delegated Regulation No. 2015/962. Also, only a limited number of road authorities, road operators, digital map producers and service providers have already provided a Declaration of Compliance to organisations responsible for the assessment of compliance. Therefore, currently only very limited experience has been gained with the Declaration of Compliance in the context of Delegated Regulation No. 2015/962.

It is proposed to use the Uniform Declaration of Compliance Form for a pilot period of three years, i.e. 2018-2020. Shortly before the completion of this three-year period, an evaluation shall be carried out with national organisations responsible for the assessment of compliance, road authorities, road operators, digital map producers and service providers, in order to assess whether the form has addressed the identified challenges or it needs to be modified.

#### ***Support from TISA, EU EIP and the European Commission***

The Uniform Declaration of Compliance Form is supported by TISA, the EU EIP project and the European Commission (DG MOVE). The principle and model of the Uniform Declaration of Compliance Form is accepted by all stakeholders who participated in the dedicated workshops as the most efficient and effective way to ensure compliance with article 11 of the Delegated Regulation No. 2015/962. The Form will thus contribute to the accessibility, exchange, re-use and update of road and traffic data for the provision of EU-wide real-time traffic information services.