EUROPEAN
COMMISSION

Brussels, 31.5.2017
COM(2017) 280 final

ANNEXES 1 to 6

ANNEXES

to the

Amended proposal for a Directive of the European Parliament and of the Council

on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union (recast)

{SWD(2017) 190 final}
{SWD(2017) 191 final}
{SWD(2017) 192 final}
{SWD(2017) 193 final}

↓ Corrigendum, OJ L 200, 7.6.2004, p. 50 (adapted)

ANNEX I

Items required for the definition and deployment of the ~~European electronic toll service~~ ⌦ EETS ⌫

The matters listed below are essential for the definition and deployment of the ~~European electronic toll service~~ ⌦ EETS ⌫ set up under the Directive. These matters are distinguished between technical, procedural and legal issues:

Technical issues:

(a) operational procedures for the service: subscription, instructions for use, installation and attachment of on-board equipment in vehicles, processing of transactions at toll stations or for continuous charging, procedures for recovering transaction data in the event of equipment breakdown or malfunction, control systems, invoicing and collection of sums due, after-sales service, customer assistance, definition of the level of service offered to customers; when establishing such operational procedures, the existing procedures in the Member States shall be taken into account;

(b) functional specifications of the service: description of the functions of on-board equipment and ground-based equipment;

(c) technical specifications of ground-based and on-board equipment supporting the service, and the standards, certification procedures and constraints to be observed;

(d) launching and following up work involving relevant standardisation bodies, and any technical additions to the standards or pre-standards used, in order to ensure interoperability,

(e) specifications for installing on-board equipment;

(f) transactional models: precise definition of transactional algorithms for each different type of toll (fixed-point tolls or continuous charging), and definition of the data exchanged between on-board and ground-based equipment and of the data formats;

(g) arrangements for the availability of on-board equipment to meet the demand of all interested users;

Procedural issues:

(h) procedures for verification of technical performance of on-board equipment, roadside equipment and the way equipment is installed in vehicles;

(i) parameters for vehicle classification: validation of a ~~Community~~ ⌦ Union ⌫ list of technical parameters from which each Member State will select those it wishes to use for its charging policy. The parameters will represent vehicles' physical, engine and environmental characteristics. Establishment of vehicle classes based on those parameters will be a matter for Member States;

(j) implementation of procedures for dealing with particular cases, such as any type of malfunction. This relates in particular to cases in which the road toll operators and the customer come from different countries;

Legal issues:

(k) validation of the chosen technical solutions vis-à-vis the ~~Community~~ ⌦ Union ⌫ rules protecting the freedoms and fundamental rights of individuals, including their privacy ⌦ and protection of personal data ⌫ . In particular, it will be necessary to ensure compliance with ~~Directive 95/46/EC~~ Regulation (EU) 2016/679 and Directive 2002/58/EC;

(l) setting non-discriminatory common rules and minimum requirements which potential service providers should respect when providing the service;

(m) assessment of the possibility of harmonising the rules of enforcement relating to electronic road tolls;

(n) a memorandum of understanding between road toll operators, enabling the ~~European electronic toll service~~ ⌦ EETS ⌫ to be implemented, including conflict resolution procedures.

⇩ new

ANNEX II

DATA ELEMENTS NECESSARY TO CONDUCT THE AUTOMATED SEARCH REFERRED TO IN ARTICLE 6(1)

Item	M/O[1]	Remarks
Data relating to the vehicle	M	
Member State of registration	M	
Registration number	M	(A[2])
Data relating to the failure to pay a road fee	M	
Member State in whose territory there was a failure to pay a road fee	M	
Reference date of the failure to pay a road fee	M	
Reference time of the failure to pay a road fee	M	

DATA ELEMENTS PROVIDED AS A RESULT OF THE AUTOMATED SEARCH CONDUCTED PURSUANT TO ARTICLE 6(1)

Part I. Data relating to vehicles

Item	M/O[3]	Remarks

[1] M = mandatory when available in national register, O = optional.

[2] Harmonised code, see Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ L 138, 1.6.1999, p. 57).

[3] M = mandatory when available in national register, O = optional.

Registration number	M	
Chassis number/VIN	M	
Member State of registration	M	
Make	M	(D.1[4]) e.g. Ford, Opel, Renault
Commercial type of the vehicle	M	(D.3) e.g. Focus, Astra, Megane
EU Category Code	M	(J) e.g. mopeds, motorbikes, cars

Part II. Data relating to owners or holders of the vehicles

Item	M/O[5]	Remarks
Data relating to holders of the vehicle		(C.1[6]) The data refer to the holder of the specific registration certificate.
Registration holders' (company) name	M	(C.1.1) Separate fields shall be used for surname, infixes, titles, etc., and the name in printable format shall be communicated.
First name	M	(C.1.2) Separate fields for first name(s) and initials shall be used, and the name in printable format shall be communicated.
Address	M	(C.1.3) Separate fields shall be used for street, house number and annex, post code, place of residence, country of residence, etc., and the address in printable format shall be communicated.
Gender	O	Male, female
Date of birth	M	
Legal entity	M	Individual, association, company, firm, etc.
Place of Birth	O	
ID Number	O	An identifier that uniquely identifies the person or the

[4] Harmonised code, see Directive 1999/37/EC.
[5] M = mandatory when available in national register, O = optional.
[6] Harmonised code, see Directive 1999/37/EC.

		company.
Data relating to owners of the vehicle		(C.2) The data refer to the owner of the vehicle.
Owners' (company) name	M	(C.2.1)
First name	M	(C.2.2)
Address	M	(C.2.3)
Gender	O	Male, female
Date of birth	M	
Legal entity	M	Individual, association, company, firm, etc.
Place of Birth	O	
ID Number	O	An identifier that uniquely identifies the person or the company.
		In case of scrap vehicles, stolen vehicles or number plates, or outdated vehicle registration no owner/holder information shall be provided. Instead, the message ‘Information not disclosed’ shall be returned.

⇩ new

ANNEX III

TEMPLATE FOR THE INFORMATION LETTER

referred to in Article 7

[Cover page]

……
……

[Name, address and telephone number of sender]

……
……

[Name and address of addressee]

INFORMATION LETTER

regarding the failure to pay a road fee committed in

[name of the Member State in whose territory there was a failure to pay a road fee]

……

On .....a failure to pay a road fee committed with the vehicle with registration

[date]

number..... make ..... model.....

was detected by .....

[name of the responsible body]

[Option 1]([1])

You are registered as the holder of the registration certificate of the abovementioned vehicle.

[Option 2] ([1])

The holder of the registration certificate of the abovementioned vehicle indicated that you were driving that vehicle when the failure to pay a road fee was committed.

The relevant details of the failure to pay a road fee are described on page 3 below.

The amount of the financial penalty due for the failure to pay a road fee is ..... EUR/national currency.

Deadline for the payment is .....

You are advised to complete the attached reply form (page 4) and send it to the address shown, if you do not pay this financial penalty.

This letter shall be processed in accordance with the national law of .....

[name of the Member State in whose territory there was a failure to pay a road fee].

Relevant details concerning the failure to pay a road fee

(a) Data concerning the vehicle which was used in the failure to pay a road fee:

Registration number: .....

Member State of registration: .....

Make and model: .....

(b) Data concerning the failure to pay a road fee:

Place, date and time where the failure to pay a road fee occurred:

.....

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Nature and legal classification of the failure to pay a road fee:

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Detailed description of the failure to pay a road fee:

.....

.....

Reference to the relevant legal provision(s):

.....

.....

Description of or reference to the evidence regarding the failure to pay a road fee:

.....

.....

(c) Data concerning the device that was used for detecting the failure to pay a road fee ([2]):

Specification of the device:

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Identification number of the device:

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Expiry date for the last gauging:

.....
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(1) Delete if not applicable.

(2) Not applicable if no device has been used.

Reply form

(please complete using block capitals)

A. Identity of the driver:
— Full name:

……
……

— Place and date of birth:

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…

— Number of driving licence: .....delivered (date): ..... and at (place):……..

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Address:……
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([1]) Delete if not applicable.

If this case is pursued, the following procedure applies:

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[to be filled in by the Member State in whose territory there was a failure to pay a road fee — what the further procedure will be, Including details of the possibility and procedure of appeal against the decision to pursue the case. These details shall In any event include: name and address of the authority in charge of pursuing the case; deadline for payment; name and address of the body of appeal concerned; deadline for appeal].

This letter as such does not lead to legal consequences.

↓ Corrigendum, OJ L 200, 7.6.2004, p. 50 (adapted)

⌦ ANNEX IV ⌫

⌦ List of technologies allowed for use in electronic road toll systems for carrying out electronic toll transactions ⌫

⌦ 1. satellite positioning; ⌫

⌦ 2. mobile communications; ⌫

⌦ 3. 5.8 GHz microwave technology. ⌫

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ANNEX V

Part A

Repealed Directive with the amendment thereto
(referred to in Article 13)

Directive 2004/52/EC of the European Parliament and of the Council	OJ L 166, 30.4.2004, p. 124
Regulation (EC) No 219/2009 of the European Parliament and of the Council	OJ L 87, 31.3.2009, p. 109

Part B

Time-limit for transposition into national law
(referred to in Article 13)

Directive	Time-limit for transposition
Directive 2004/52/EC	20 November 2005

ANNEX VI

Correlation Table

Directive 2004/52/EC	This Directive
Article 1(1)	Article 1(1), first subparagraph
—	Article 1(1), second subparagraph
Article 1(2), introductory wording	Article 1(2), introductory wording
Article 1(2)(a)	Article 1(2)(a)
Article 1(2)(b)	—
Article 1(2)(c)	Article 1(2)(b)
—	Article 1(2)(c)
Article 1(3)	Article 1(3)
—	Article 2
Article 2(1)	Article 3(1), first subparagraph
—	Article 3(1), second subparagraph
Article 2(2), first sentence	—
—	Article 3(2)
Article 2(2), second and third sentence	Article 3(3)
Article 2(2), fourth sentence	—
—	Article 3(4)
—	Article 3(5)
Article 2(3)	—
Article 2(4)	—
Article 2(5)	—
Article 2(6)	—
Article 2(7)	Article 3(6)
Article 3(1)	—

Article 3(2), first sentence	—
Article 3(2), second sentence	—
Article 3(2), third sentence	Article 4(2)
Article 3(3)	Article 4(3)
Article 3(4)	—
Article 4(1)	Article 4(1)
Article 4(2)	—
Article 4(3)	Article 4(4)
Article 4(4)	—
Article 4(5)	—
Article 4(6)	—
Article 4(7)	Article 4(5)
Article 4(8)	Article 4(6)
Article 5	—
—	Article 5
—	Article 6
—	Article 7
—	Article 8
—	Article 9
—	Article 10
—	Article 11
Article 6	Article 12(1)
—	Article 12(2)
	Article 13
Article 7	Article 14

Article 8	Article 15
Annex	Annex I
—	Annex II
—	Annex III
—	Annex IV
—	Annex V
—	Annex VI