

FRENCH REPUBLIC

Ministry for Spatial Planning and
Decentralisation
Transport

DRAFT

Decree No of

on traffic and road safety data and information referred to in Article L1513-2 of the Transport Code for the application of Regulations (EU) 2022/670, (EU) 886/2013 and (EU) 885/2013 and Articles D1514-1, D1514-2 and D1514-3 of the Transport Code.

NOR:

Target audience: *Traffic police authorities, public road domain managers, operators of toll systems or any other type of payment for the use of the public road domain, legal entities enabling the distribution of fuels or alternative fuels, operators of parking areas, providers of real-time information services on road traffic and its safety, manufacturers of motorised road vehicles or their authorised representatives, owners, long-term hirers and drivers of motorised road vehicles, providers of digital travel assistance services, police and gendarmerie forces, fire and rescue services, mobility organising authorities.*

Subject: *The Decree specifies the implementation arrangements of several provisions of Regulation No 2022/670 with regard to the provision of EU-wide real-time traffic information services, Regulation No 886/2013 with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users, and Regulation No 885/2013 with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles.*

The detailed arrangements concern the definition of data holders and users, the definition of digital data, the road networks on which the information deployment obligations apply, the arrangements for access through the national access point and the characteristics of the data and information, including their metadata. The Decree also specifies Articles D1514-1, D1514-2 and D1514-3 of the Transport Code, as regards the elements to be provided to the national access point by manufacturers of motorised road vehicles or their authorised representative.

The Decree also specifies Article L1513-2 of the Transport Code concerning the accessibility of road data and information.

Entry into force: *the text shall enter into force on the day following its publication in the Official Journal, with the exception of the provisions of Article D1514-4 of the Transport Code, which shall enter into force one year after its publication in the Official Journal.*

Application: *The provisions of the Decree are adopted pursuant to Article L1513-2 of the Transport Code and Delegated Regulations (EU) 2022/670, No 885/2013 and No 886/2013.*

The Prime Minister,

On the report of the Minister for Spatial Planning and Decentralisation,

Having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data;

Having regard to Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector;

Having regard to Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services;

Having regard to Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport;

Having regard to Commission Delegated Regulation (EU) 2015/962 of 18 December 2014;

Having regard to Commission Delegated Regulation (EU) 2022/670 of 2 February 2022;

Having regard to Commission Delegated Regulation (EU) 885/2013 of 15 May 2013;

Having regard to Commission Delegated Regulation (EU) 886/2013 of 15 May 2013;

Having regard to Regulation (EU) 2024/1679 of the European Parliament and of the Council of 13 June 2024 on Union guidelines for the development of the trans-European transport network, amending Regulations (EU) 2021/1153 and (EU) No 913/2010 and repealing Regulation (EU) No 1315/2013;

Having regard to the Transport Code, in particular Articles L1513-2, L1514-1, L1514-2 and L1514-3 and Articles D1514-1, D1514-2 and D1514-3 thereof;

Having regard to Law No 78-17 of 6 January 1978, as amended, on data processing, data files and individual liberties;

Having regard to Decree No 75-360 of 15 May 1975 concerning the Interministerial Committee on Road Safety;

Having regard to Decree No 2015-474 of 27 April 2015 on the provision of information services on parking places for trucks and commercial vehicles and on data and procedures for the provision of traffic information related to road safety;

Having regard to Decree No 2017-1517 of 30 October 2017 on the provision of real-time traffic information services;

Having regard to Decree No 2023-644 of 20 July 2023 on access to certain vehicle data for accident prevention and improvement of accident response, knowledge and mapping of road infrastructure and its equipment, and knowledge of road traffic;

Having regard to the opinion of the Permanent Interministerial Group for Road Safety of 14 October 2024;

Having regard to the opinion of the National Commission on Information Technology and Liberties (CNIL) of XXX;

Having regard to the opinion of the National Council for the Evaluation of Standards (CNEN) of XXX;

Having regard to the opinion of the Transport Regulatory Authority (ART) of XXX;

Having regard to Notification No XXX addressed to the European Commission on XXX;

Hereby decrees:

Article 1

Chapter III of Book V of Part one of the regulatory part of the Transport Code is supplemented by the following sections worded as follows:

‘Section 1

‘Road data

‘Article D1513-1.-The characteristics and metadata of the data and information referred to in Articles 4, 5, 6 and 7 of Regulation (EU) 2022/670, in Article 3 of Delegated Regulation (EU) No 885/2013 and Article 3 of Delegated Regulation (EU) No 886/2013, shall be specified by order of the Minister for Transport.

‘Article D1513-2.-The quality requirements referred to in 2(b) of Articles 4, 5, 6 and 7 of Delegated Regulation (EU) 2022/670 shall be approved by order of the Minister for Transport.

‘Article D 1513-3.-For the application of Delegated Regulations (EU) No 885/2013, No 886/2013 and 2022/670, the data referred to in Article L1513-2 of the Transport Code shall be that which is collected and recorded in a structured information system enabling software applications to identify, recognise and retrieve specific data.

‘Article D1513-4. -The events or circumstances covered by the universal minimum traffic information services related to road safety referred to in Article 3 of Delegated Regulation (EU) No 886/2013 shall be specified by joint order of the Minister for Transport and the Minister responsible for road safety.

‘Section 2

‘Accessibility to road data collected by data holders and data users

Article D1513-5.-For the application of Delegated Regulation (EU) 2022/670, the following are subject to data provision obligations:

- for data relating to infrastructure: the public road domain managers referred to in Article L1513-2(1) of the Transport Code, operators of toll systems or any other type of payment for the use of the public road domain referred to in Article L1513-2(3), legal persons allowing the distribution of fuels or alternative fuels referred to in Article L1513-2(4);
- for data relating to regulations and restrictions: the public road domain managers referred to in Article L1513-2(1) of the Transport Code, the authorities vested with the traffic police powers referred to in Article L1513-2(2), the operators of toll systems or any other type of payment for the use of the public road domain referred to in Article L1513-2(3);
- for the data relating to the condition of the network: the public road domain managers referred to in Article L1513-2(1) of the Transport Code, the authorities invested with traffic police powers referred to in Article L1513-2(2), the providers of real-time road traffic and road safety information services referred to in Article L1513-2(6) and the holders of on-board data, in particular manufacturers of motor land vehicles or their authorised representative and the providers of digital travel assistance services referred to in Article L1513-2(7);
- for the data relating to the real-time use of the network: the public road domain managers referred to in Article L1513-2(1) of the Transport Code, legal persons enabling the distribution of fuels or alternative fuels referred to in Article L1513-2(4), the operators of parking areas referred to in Article L1513-2(5), the providers of real-time road traffic and road safety information services referred to in Article L1513-2(6) and the holders of on-board data, in particular manufacturers of motorised road vehicles or their authorised representative and the providers of digital travel assistance services referred to in Article L1513-2(7).

The operators of toll systems or any other type of payment for the use of public road property referred to in Article L1513-2 of the Transport Code include, in particular, toll chargers as defined in Article R119-3 of the Highways Code (CVR) and toll service providers as defined in Article R119-13 of the Highways Code.

The legal persons enabling the distribution of alternative fuels referred to in Article L1513-2 of the Transport Code include in particular the fitters and operators of refuelling points defined in Article D641-17 of the Energy Code and the mobility operators referred to in Article 2 of Decree No 2017-26 of 12 January 2017 on recharging infrastructure for electric vehicles and laying down various measures transposing Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure.

For the application of Delegated Regulation (EU) No 885/2013, the operators of parking areas referred to in Article L1513-2(5) of the Transport Code and the providers of real-time traffic and road safety information services referred to in Article L1513-2(6) shall be subject to the data provision obligations. The format in which the data must be provided shall be specified by order of the Minister for Transport.

For the application of Delegated Regulation (EU) 886/2013, the obligations to provide data shall apply to the public road domain managers referred to in Article L1513-2(1) of the Transport Code and the providers of real-time information services on road traffic and road safety referred

to in Article L1513-2(6). The format in which the data must be provided shall be specified by order of the Minister for Transport.

*‘Article D1513-6.-*The data of the providers of real-time traffic information and road safety information services referred to in Article L1513-2(6) of the Transport Code and the data of holders of in-vehicle data, in particular manufacturers of motor vehicles or their authorised representative and providers of the digital travel assistance services referred to in Article L1513-2(7), falling within the scope of Delegated Regulation (EU) 2022/670, shall be accessible to any public road domain manager referred to in Article L1513-2(1) of the Transport Code through the national access point defined in Article D1513-11 of the Transport Code, where the use of such data contributes to facilitating the provision of compatible, interoperable and continuous real-time traffic information services.

*‘Article D1513-7.-*The road safety-related minimum universal traffic information service within the meaning of Regulation No 886/2013 shall be deployed on motorways, the comprehensive trans-European road network and sections of the national road network not included in that network.

For the application of Article 3 of Delegated Regulation (EU) No 885/2013, the areas where the deployment of information services on safe and secure parking places, including dynamic information, is required to consist of the comprehensive trans-European road network.

An order of the Minister for transport shall specify the additional networks on which these same services are deployed.

For the application of Delegated Regulation (EU) 2022/670, the obligations relating to the data types referred to in points 2 and 4 of the Annex to Delegated Regulation (EU) 2022/670 shall apply to the entire publicly accessible road network for motorised traffic. The obligations relating to the data types referred to in points 1, 3, 5 and 6 of the Annex to this Regulation shall apply to roads in the comprehensive trans-European road network and to motorways not included in the comprehensive trans-European road network and, as from 1 January 2028, to roads other than motorways and roads in the comprehensive trans-European road network.

*‘Article D1513-8.-*An order of the Minister for Transport shall define the harmonised arrangements for the presentation by road information service providers of the information content provided to users pursuant to Articles 4 and 8 of Delegated Regulation (EU) No 886/2013.

‘Section 3

‘The purposes of access to road data

*‘Article D1513-9.-*The purposes referred to in Article L1513-2 of the Transport Code are defined as follows:

Compatibility corresponds to the ability of systems to interact with existing systems for which they share the purpose, without hindering the development of new technologies.

Interoperability corresponds to the ability of systems and underlying industrial processes to exchange data and share information and knowledge in order to ensure that real-time traffic and road safety information services are provided effectively.

Security corresponds to the authentication of data holders and data users, the integrity of the data and information transmitted and its anonymisation. It also covers the detection of data breaches and malicious acts and the monitoring of the eligibility of incoming flows.

Continuity corresponds to the provision of services without critical interruption, the assessment of this criterion being adapted to the characteristics of the transport networks under consideration.

‘Section 5

‘The national access point

Article D1513-11.-The national access point referred to in Article 5 of Delegated Regulation (EU) No 885/2013, in Article 7 of Delegated Regulation (EU) No 886/2013 and in Article 3 of Delegated Regulation (EU) 2022/670 shall list the data to which the data holders and users referred to in Article 1 of this Decree are required to provide access pursuant to the provisions of these Regulations.

To this end, data holders and users shall provide and update the national access point with:

- the lists of data to which they propose to provide access;
- the contact details of the access point(s) for this data;
- metadata enabling the national access point to offer a data search service.’

The technical characteristics of the national access point and the technical characteristics of the metadata referred to in this Article shall be specified by order of the Minister for Transport.

In order to facilitate the compatibility and interoperability of the provision of real-time traffic and road safety information services, the obligation to provide data in accordance with the European formats required by Delegated Regulations (EU) 2022/670, 885/2013 and 886/2013 shall be deemed to be fulfilled where the data holder transmits its data to the national access point in accordance with the terms of a data transmission and conversion agreement proposed by the Ministry of Transport and agreed between the parties.

The arrangements for the accessibility of the data and information referred to in Article L1513-2 of the Transport Code concerning the safety of the provision of these services may be specified by order of the Minister for transport.’

Article 2

Chapter IV of book V of Part 1 of the regulatory part of the Transport Code is supplemented by an article reading as follows:

‘Article D1514-4.-The manufacturers of motorised road vehicles or their authorised representative referred to in Articles D1514-1, D1514-2 and D1514-3 of the Transport Code shall provide the national access point and update:

- the lists of data to which they propose to provide access;
- the contact details of the access point(s) for this data;
- metadata enabling the national access point to offer a data search service.’

Article 3

In V of Article D1514-1 of the Transport Code, in V and IX of Article D1514-2 of the Transport Code and in V of Article D1514-3 of the Transport Code, the words *‘in Article 3 of Decree No 2015-474 of 27 April 2015 on the provision of information services concerning parking places for trucks and commercial vehicles and on data and procedures for the provision of traffic information related to road safety’* are replaced by the words *‘in Article D1514-11 of the Transport Code’*

Article 4

Decree No 2017-1517 of 30 October 2017 on the provision of real-time traffic information services is repealed.

Decree No 2015-474 of 27 April 2015 on the provision of information services on parking places for trucks and commercial vehicles and on data and procedures for the provision of traffic information related to road safety is repealed.

Article 5

This Decree enters into force the day after its publication in the *Official Journal*, with the exception of the provisions of Article D1514-4 of the Transport Code provided for in Article 2, which shall enter into force one year after its publication in the *Official Journal*.

Dated

By the Prime Minister:

The Minister for Spatial Planning and Decentralisation,

The Minister for the Interior

The Minister for Transport, attached to the Minister for Spatial Planning and Decentralisation,