



## EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Message 301

Communication from the Commission - TRIS/(2024) 3150

Directive (EU) 2015/1535

Notification: 2024/0623/FR

Request for supplementary information from the Commission.

Request for supplementary information - Demande d'informations complémentaires - Žádost o doplňující informace - Ersuchen um ergänzende Informationen - Искане за допълнителна информация - Žádost o dodatečné informácie - Anmodning om supplerende oplysninger - Αίτηση συμπληρωματικών πληροφοριών - Solicitud de información complementaria - Lisateabe edastamise palve - Lisätietopyyntö - Zahtjev za dodatne informacije - Kiegészítő információkérése - Domanda di informazioni complementari - Prašymas pateikti papildomos informacijos - Papildu informācijas pieprasījums - Talba għal tagħrif addizzjonali - Verzoek om aanvullende inlichtingen - Prośba o uzupełnienie informacji - Pedido de informações complementares - Solicitare de informații suplimentare - Žiadosť o ďalšie informácie - Zahteva za dodatne informacije - Begäran om kompletterande upplysningar - Iarraidh ar fhaisnéis fhorlíontach

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1. MSG 301 IND 2024 0623 FR EN 19-02-2025 25-11-2024 COM INFOSUP COM 19-02-2025

2. Commission

3. DG GROW/E/3 - N105 04/63

4. 2024/0623/FR - SERV - INFORMATION SOCIETY SERVICES

5.

6. Within the framework of the notification procedure under Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, the French authorities notified to the Commission on 19 November 2024 the draft "Projet de décret relatif aux services numériques d'assistance aux déplacements (en application du L. 1214-8-3 du code des transports du code des transports)" (hereinafter, the "notified draft").

In order to allow the Commission services to complete their analysis under the relevant provisions of EU law, the French authorities are kindly invited to reply to the following request for supplementary information:

1. The French authorities are kindly requested to clarify whether the notion of "Services numériques d'assistance aux déplacements" of the notified draft is intended to cover providers of information society services as per the meaning of Directive 2000/31/EC. In the affirmative, the Commission services would like to receive further information on:
  - a. whether the notified draft would apply to providers of information society services established in the territory of Member States other than France;
  - c. whether the French authorities have identified those providers or what would be the basis for identifying them;
  - d. how do the French authorities intend to comply with the requirements set out in Article 3(4) of Directive 2000/31/EC, in particular, in view of the CJEU judgement in case C-376/22;
  - e. what would be the obligations applicable to those service providers resulting from the notified draft. In particular, whether service providers are required to (i) reply to the data requests of Autorités Organisatrices des Mobilités; (ii) provide the data contained in those requests; (iii) provide that data in the way mandated by the notified draft (i.e. in an open, user friendly and machine readable manner); and (iv) abide by the requests of anonymisation of the data, in the way described in the notified draft, and inform the users of the any anonymisation and transmission of their data.
  - f. what would be the means envisaged for the supervision of compliance by service providers with their obligations



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pursuant to the notified draft, and whether these include the imposition of sanctions.

The French authorities are kindly invited to reply by 6 December 2024.

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