



EUROPEAN COMMISSION

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

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2024/0623/FR (France)

## **Draft Decree on digital travel assistance services (pursuant to Article L.1214-8-3 of the Transport Code)**

Date received : 18/11/2024

End of Standstill : 19/02/2025 (19/03/2025)

### **Message**

Message 001

Communication from the Commission - TRIS/(2024) 3073

Directive (EU) 2015/1535

Notification: 2024/0623/FR

Notification of a draft text from a Member State

Notification – Notificación – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéset - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20243073.EN

1. MSG 001 IND 2024 0623 FR EN 18-11-2024 FR NOTIF

2. France

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

5. Draft Decree on digital travel assistance services (pursuant to Article L.1214-8-3 of the Transport Code)

6. Digital travel assistance services and Mobility Organising Authorities

7.

8. Article D.1214-13 specifies the scope of the relevant travel and traffic data held by digital travel assistance services, which will consist of users' location data.

Article D.1214-14 specifies that the relevant data shall be made available to the Mobility Organising Authorities upon their express request. In addition, this article specifies the scope of such data, which is limited to what is necessary for the pursuit of the aims of the Mobility Organising Authorities.

Article D.1214-15 lays down constraints, to be borne by digital travel assistance services, when they grant access requests made by Mobility Organising Authorities. Indeed, the data must be provided in an open standard, which is easily usable and exploitable. Digital travel assistance services will have to choose a method of anonymisation.

Article D.1214-16 provides for information to be given to the users concerned about the implementation of a processing operation aimed at anonymising their travel data, under the conditions laid down in Articles 12 and 13 of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

Article D.1214-17 offers the possibility for digital services to obtain financial compensation from the Mobility Organising Authorities concerning the anonymisation of data

Article D.1214-18 requires digital travel assistance services to implement appropriate technical and organisational measures when implementing the data anonymisation process referred to in Article D. 1214-13, pursuant to the provisions of Article 32 of Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

### 9. a) Need to adopt draft regulatory provisions

Article 109 of the Climate and Resilience Act (CRA) aims to facilitate the transition to decarbonised mobility by regulating digital travel assistance services. It is part of the broader framework of the fight against climate change and the promotion of resilience to its effects. The main aim is to provide Mobility Organising Authorities with relevant data, which is not yet widely available, from these services to better understand mobility models, promote alternatives to individual driving, and assess the impact of modal shift strategies.

The draft Decree associated with this Article establishes the arrangements for application, specifying in particular the scope of the data concerned (mainly users' location data), the methods of transmission to the competent authorities, the limitation of the data transmitted to strictly necessary information, the prior anonymisation of the data, providing information to users, and data security, in particular the methods of anonymisation of these data.

### b) The proportionality of the draft regulatory provisions

The regulatory measures are proportionate to the extent that all the information necessary for their application will be made available to the stakeholders concerned.



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c) The non-discriminatory nature of the draft regulatory provisions

The regulatory measures are proportionate insofar as they apply to all digital travel assistance services.

10. References to basic texts:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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European Commission

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