



Brussels, **XXX**
[...] (2023) **XXX** draft

COMMISSION DELEGATED REGULATION (EU) .../...

of **XXX**

amending Delegated Regulation (EU) 2017/1926 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Commission Delegated Regulation (EU) 2017/1926, supplementing Intelligent Transport Systems (ITS) Directive 2010/40/EU¹, sets out specifications to ensure that EU-wide multimodal travel information services are accurate and available to ITS users across borders.

In particular, the Delegated Regulation specifies in the Annex which data types, provided they exist in digital machine-readable format, need to be made accessible by transport authorities, transport operators, infrastructure managers and transport on demand service providers. Such data types are necessary to provide EU-wide multimodal travel information services via a national access point in each Member State in a standardised format. The Delegated Regulation also specifies the conditions of access to, reuse and update of data, as well as the assessment of compliance with the Delegated Regulation, and the implementation provisions to report on.

Delegated Regulation (EU) 2017/1926 sets different dates of application ranging from 1 December 2019 to 1 December 2023, depending on the type of data. That Delegated Regulation also prescribes the sharing of routing results between travel information service providers, based on static, and where possible dynamic information.

The requirements of Delegated Regulation (EU) 2017/1926 only apply to the data types listed in the Annex under the condition that the data already exist in digital machine-readable format and do not prescribe creating new data or collecting these data types by data holders.

In addition, Delegated Regulation (EU) 2017/1926 does not require the data types listed in the Annex to be shared free of charge. However, other EU or national legislation may impose specific requirements in that respect. National access points provide discovery services enabling stakeholders to find out which data are accessible and the related terms and conditions for their reuse. Data accessible via national access points can be subject to licence agreements in order for access to be granted or the data to be shared and reused.

Following a thorough investigation, which included a cost-benefit analysis, a revision of the Delegated Regulation was recommended, in line with the objectives of the updated 2018-2022 working programme of the ITS Directive² and confirmed in the updated 2022-2027 working programme³.

The revision was announced in the Sustainable and Smart Mobility Strategy⁴, published in December 2020, as action 36 under flagship 6 ('Making connected and automated multimodal mobility a reality').

To support the development of EU-wide multimodal travel information services, mandating the accessibility of dynamic data sets is essential for all modes including transport on demand. To allow for more accurate and accessible multimodal travel information services, additional static, historic, observed and dynamic data types are required. This includes data on parking, accessibility for persons with disabilities and persons with reduced mobility, and capacity for bicycles on-board scheduled transport.

This revision of the Delegated Regulation helps the EU take full advantage of smart digital solutions and intelligent transport systems. The revision also aims to clarify any overlaps with

¹ OJ L 207, 6.8.2010, p.1.

² C(2018) 8264 final.

³ C(2022) 9140 final.

⁴ COM/2020/789 final.

other delegated regulations supplementing the ITS Directive, in particular Delegated Regulation (EU) 2022/670 with regard to the provision of EU-wide real-time traffic information services⁵. The revision should be complemented by an initiative on multimodal digital mobility services (MDMS), aiming to facilitate the commercial cooperation between MDMS and transport operators. The MDMS initiative should ease the access to all mobility products, making it possible for end users to book and pay for tickets seamlessly.

The ITS stakeholders referred to in the Delegated Regulation are Member State representatives, such as national and/or local authorities, and industry representatives. These stakeholders can be represented individually or jointly through a collaboration or a project.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

In preparation for the revision of Delegated Regulation (EU) 2017/1926, a cost-benefit analysis was carried out, which included a stakeholder survey. The survey was conducted between 22 March 2022 and 3 June 2022, and 55 responses were received. In addition, 66 targeted stakeholder interviews took place between April and July 2022, including 21 Member States or national access points and 45 other stakeholders. Seven of the interviews were exploratory interviews.

The Commission opened a public consultation between 1 December 2021 and 23 February 2022⁶. 336 responses and 30 position papers were received. 65% of respondents highlighted the difficulty in accessing information on travel options online when planning a trip. 79% of respondents underlined that the Delegated Regulation was either relevant or very relevant to support the uptake of multimodal travel information services. The other main challenge identified on data accessibility and data sharing were ‘limited data quality’ and ‘lack of access to real-time data’.

Member States, the EEA countries and Switzerland, were invited to appoint experts to attend a series of meetings with the Commission to help develop the revision of the Delegated Regulation. Nine meetings took place between 23 February 2022 and 20 January 2023⁷. In addition, several bilateral meetings took place with Member States.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Delegated Regulation (EU) 2017/1926 supplements Directive 2010/40/EU, in accordance with Article 7, as regards priority action (a) set out in Article 3 of that Directive. The power to adopt Delegated Acts is conferred on the Commission subject to the conditions laid down in Article 12 of the same Directive.

Multimodal travel information can provide passengers with information to choose a journey across different modes of transport at specific geographical locations, meeting passengers’ preferences, needs and priorities. The development of EU-wide multimodal travel information services can be further improved with a harmonised set of data requirements, including specifications on standardisation, accessibility, data quality, and by requiring stakeholders to provide data for reuse.

⁵ Commission Delegated Regulation (EU) 2022/670 of 2 February 2022 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 (OJ L122 25.4.2022, p.1).

⁶ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13133-Multimodal-digital-mobility-services/public-consultation_en

⁷ <https://ec.europa.eu/transparency/expert-groups-register/screen/expert-groups/consult?lang=en&groupID=1941>

This Delegated Regulation seeks to improve the accessibility, exchange, reuse and update of the multimodal travel information data required to provide high-quality and continuous multimodal travel information services across the EU.

Due to the limited changes to Delegated Regulation (EU) 2017/1926, the Commission considers that it is most suitable to proceed with a revision instead of a repeal of this Regulation.

DRAFT

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amending Delegated Regulation (EU) 2017/1926 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 transport⁸, and in particular Article 7 thereof,

Whereas:

- (1) The Commission's Communication on a Sustainable and Smart Mobility Strategy⁹ identifies the deployment of Intelligent Transport Systems ('ITS') as a key action in achieving connected and automated multimodal mobility, and therefore contributing to the transformation of the European transport system to reach the objective of efficient, safe, sustainable, smart and resilient mobility. The strategy announced a revision of Commission Delegated Regulation (EU) 2017/1926¹⁰ to include mandatory accessibility of dynamic datasets, which is needed to achieve the policy objectives of this strategy, as well as an assessment of the need for regulatory action on rights and duties of multimodal digital service providers.
- (2) The European Green Deal¹¹ highlights the increasing role of automated and connected multimodal mobility, together with smart traffic management systems enabled by digitalisation, and the objective of supporting new sustainable transport and mobility services that can reduce congestion and pollution, especially in urban areas. Delegated Regulation (EU) 2017/1926 supports the shift towards more sustainable transport modes, including the use of active modes, such as walking and cycling. By mandating the accessibility of dynamic datasets and new static, historic and observed datasets, as proposed by the amendments to Delegated Regulation (EU) 2017/1926, multimodal travel information services may enhance the information and service to the passenger, to boost multimodal mobility and reduce emissions, in line with the objectives set out in the European Green Deal.

⁸ OJ L 207, 6.8.2010, p.1.

⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'Sustainable and Smart Mobility Strategy – putting European transport on track for the future', COM(2020) 789 final of 9.12.2020.

¹⁰ Commission Delegated Regulation (EU) 2017/1926 of 31 May 2017 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide multimodal travel information services (OJ L 272, 21.10.2017, p.1).

¹¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'The European Green Deal', COM(2019) 640 final of 11.12.2019.

- (3) The European strategy for data¹² describes how making more data available is essential for tackling societal, climate and environment-related challenges. The strategy emphasises the benefits that data-driven innovation will bring for citizens and proposes the creation of EU-wide common, interoperable data spaces in strategic sectors, including a common European mobility data space. In that respect, Delegated Regulation (EU) 2017/1926 contributes to the increased accessibility and sharing of data on multimodal travel information. By mandating the accessibility of dynamic datasets as proposed by the amendments to Delegation Regulation (EU) 2017/1926, more data will be made accessible and shared, in line with the objectives of the European strategy for data.
- (4) To be consistent and avoid overlaps with Commission Delegated Regulation (EU) 2022/670¹³, specific data types on parking should be added to the scope of Delegated Regulation (EU) 2017/1926 and data types on refuelling and charging stations should be removed from the scope of Delegated Regulation (EU) 2017/1926. Data on parking, such as location and availability of parking places, where and how to pay for parking, and information on parking tariffs, are considered important for the further development of reliable travel information services, and should be made accessible by data holders, such as transport authorities, transport operators, infrastructure managers, transport on demand service providers or parking operators.
- (5) Coherence with rules on passengers' rights and obligations should be ensured, such as the rules established by Regulations (EC) No 261/2004¹⁴, (EU) No 1177/2010¹⁵, (EU) No 181/2011¹⁶ and (EU) 2021/782 of the European Parliament and of the Council¹⁷.
- (6) The measures provided for in the Delegated Regulation (EU) 2017/1926 should, where appropriate, take in account the forthcoming Data Act¹⁸.
- (7) Data continue to provide the contextual basis for the generation of multimodal travel information services. As the deployment of ITS accelerates across the Union, it requires continued support in the form of increased and seamless access to existing and new data types relevant to the provision of multimodal travel information services. Therefore, historic travel and traffic data, in particular to calculate average delays, and observed data on delays and cancellations, as well as information on parking, are important and should be made accessible to improve multimodal travel information

¹² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'A European strategy for data', COM(2020) 66 final of 19.2.2020.

¹³ Commission Delegated Regulation (EU) 2022/670 of 2 February 2022 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 (OJ L122, 25.4.2022, p.1).

¹⁴ Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ L 46, 17.2.2004, p. 1).

¹⁵ Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1).

¹⁶ Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1).

¹⁷ Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (OJ L172, 17.5.2021, p.1).

¹⁸ Proposal for a Regulation of the European Parliament and of the Council on harmonised rules on fair access to and use of data (Data Act). COM/2022/68 final.

services and facilitate passengers' travel. As regards the historic and observed travel and traffic data, only data which are relevant to enhance multimodal travel information services should be shared. Observed data on delays and cancellations, linked to rules on passengers' rights and obligations, can also enable service providers to inform passengers about their rights for compensation. In that context, the reason for delays or cancellations should also be shared by data holders in order to assess the right to compensation. Since the purpose for sharing observed data is linked to passengers' rights for compensation in case of delay or cancellation, only data on the arrival time or the departure time, or both, and, when possible the reasons for delays or cancellations should be made accessible via the national access point as specified in Article 3, not any operational data collected during the journey. The data should be stored by data holders for a suitable timeframe corresponding to the passenger rights' set out in the relevant Union legislation referred to in recital (5).

- (8) Regarding the exchange of static, historic, observed and dynamic travel and traffic data, data holders should make that data accessible via the national access point as specified in Article 3 by using the standards and technical specifications referred to in Articles 4 and 5. This can also be done in any other standard, when data holders can prove that it is fully compatible with the reference standards, and provided that all requested information is made available. To prove compatibility, data holders can use converters or validators.
- (9) Directive (EU) 2019/1024¹⁹ setting out minimum rules for the reuse of public sector information throughout the Union is without prejudice to this Delegated Regulation.
- (10) Boosting multimodal transport is important to reach the overall climate objective of the Union. Due to the current unsatisfactory accessibility of multimodal dynamic data, the accessibility of dynamic datasets is thus considered necessary to support the continued development of multimodal travel information services across the Union and should therefore be made mandatory.
- (11) Any processing related to the provision and reuse of personal data should be carried out in accordance with Union and Member States' legislation on the protection of personal data and privacy, most notably Regulation (EU) 2016/679 of the European Parliament and of the Council²⁰ and Directive 2002/58/EC of the European Parliament and of the Council²¹, as transposed by national law. It is not necessary to share personal data via national access points to achieve the objectives of this Regulation. Therefore, data holders should take appropriate technical and organisational measures to ensure that any personal data are anonymised before being provided via national access points.
- (12) Member States and ITS stakeholders should cooperate to reach an agreement on common definitions of data quality with a view to use common data quality indicators throughout the travel and traffic data value chain, such as the completeness, accuracy and up-to-dateness of the data as well as, quality checks applied, in particular for

¹⁹ Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p.56)

²⁰ 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, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p.1.

²¹ 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 (Directive on privacy and electronic communications), OJ L 201, 31.7.2002, p.37).

cross-border services. They should also be encouraged to work further to establish associated methods of quality measurement and monitoring of the different data types. Member States should be encouraged to share with each other their knowledge, experience and best practices in the data quality field in on-going and future coordination projects.

- (13) Multimodal travel information services should be accurate in order to provide the best possible information to end users in terms of reliability and timeliness. In order to improve the quality of data, data users and data holders should be encouraged to cooperate to ensure that the data is as accurate as possible, for example by reporting any inaccuracies to the data holder, from which the data originates.
- (14) In order to allow for the successful and cost-efficient use of national access points and allow data users to discover and use the datasets made accessible through the national access points as specified in Article 3, Member States and ITS stakeholders should cooperate to reach an agreement on metadata requirements, taking into account metadata schema napDCAT-AP and subsequent versions.
- (15) Member States should collaborate to harmonise their approach towards the assessment of compliance in on-going and future coordination projects, which help to implement Delegated Regulation (EU) 2017/1926.
- (16) To allow the necessary preparation to make all the dynamic travel and traffic datasets set out in this Regulation accessible in the required formats via the national access points as specified in Article 3, the timeframe for providing such data should be updated. Moreover, the timeframe for providing the new static, historic and observed travel and traffic datasets should also be laid down.
- (17) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council²² and delivered an opinion on XX 2023.
- (18) Delegated Regulation (EU) 2017/1926 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) 2017/1926

Delegated Regulation (EU) 2017/1926 is amended as follows:

- (1) in Article 1, paragraph 1 is replaced by the following:
'1. This Regulation establishes the necessary specifications in order to ensure that EU-wide multimodal travel information services are accurate and available across borders to end users.';
- (2) Article 2 is replaced by the following:

Article 2

Definitions

²² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p.39).

For the purposes of this Regulation, the definitions set out in Article 4 of Directive 2010/40/EU and in Article 3 of Regulation (EU) No 1315/2013 shall apply.

The following definitions, with respect to multimodal travel and traffic information, shall also apply:

- (1) “multimodal travel information” means information derived from any static, historic, observed or dynamic travel and traffic data, or any combination thereof, for end users, provided through any communication means, covering at least two modes of transport and allowing the possibility to compare transport modes;
- (2) “travel information service” means an ITS service, including digital maps, that provides data users, and end users, with travel and traffic information of at least one transport mode;
- (3) “dynamic travel and traffic data” means data relating to different transport modes that change often, or data on unexpected events or circumstances, as listed in the Annex;
- (4) “static travel and traffic data” means data relating to different transport modes that do not change often, or data on planned changes, as listed in the Annex;
- (5) “historic travel and traffic data” means data relating to traffic characteristics, used to calculate average delays, depending on the hour, day and season, which is based on previous measurements, including rate of congestion, average speeds, and average travel times;
- (6) “observed data” means operational data related to travel and traffic, such as the length of and reason for delays and cancellations, resulting from and collected during service operations;
- (7) “data user” means any public or private entity, such as transport authorities, transport operators, travel information service providers, digital map producers, transport on demand service providers and infrastructure managers, or any other entity using data listed in the Annex to create multimodal travel information, or where provided by the terms and conditions determined by the data holder, using the data for other purposes;
- (8) “transport authority” means any public authority responsible for the traffic management or the planning, control or management of a given transport network or transport service, or both, falling within its territorial competence;
- (9) “transport operator” means any public or private entity that is responsible for the maintenance and management of the transport service;
- (10) “transport on demand service provider” means any public or private provider of transport on demand service to end users;
- (11) “data holder” means any legal person, public or private entity, such as transport authorities, transport operators, infrastructure managers or transport on demand service providers, who has the right to grant access to or to share the data under its control, listed in the Annex, in accordance with applicable Union or national law;
- (12) “transport on demand service” means a service which requires interaction between the transport on demand service provider and the end user before delivery;

- (13) “end user” means any natural or legal person who has access to travel information services;
 - (14) “metadata” means a structured description of the contents of the data facilitating the discovery and use of the data;
 - (15) “routing result” means the travel itinerary in a digital machine-readable format resulting from an end users’ journey request with reference to the handover point or points used;
 - (16) “handover point” means the station, stop or location at which two travel information services’ routing results are linked to produce a journey;
 - (17) “access point” means a digital interface where data listed in the Annex together with the corresponding metadata are made accessible for reuse to data users, or where the sources and metadata of those data are made accessible for reuse to data users;
 - (18) “data update” means any modification of the existing data, including its deletion or the insertion of new or additional elements;
 - (19) “discovery service” means a service allowing for the search of the requested data using the contents of the corresponding metadata and displaying such contents;
 - (20) “accessibility of the data” means the possibility to request and obtain the data at any time in a digital machine-readable format;
 - (21) “comprehensive trans-European transport network” or “TEN-T” means the transport infrastructure and measures referred to in Article 6(2) of Regulation (EU) No 1315/2013;
 - (22) “timeliness of data” means the availability of up to date data provided to data users and end users sufficiently in advance to be useful;
 - (23) “travel information service provider” means any public or private provider of at least one travel and traffic information, to data users and end users, excluding a mere converter of information;
 - (24) “linking of service” means the connection of local, regional, and national travel information services which are interlinked via technical interfaces to provide routing results or other application programming interfaces (APIs) results based on static, historic, observed and/or dynamic travel and traffic data;
 - (25) “access node” means a pre-defined location where passengers may board or leave scheduled transport or transport on demand.
- (3) Article 3 is amended as follows:
- (a) paragraph 1 is replaced by the following:

‘1. Each Member State shall set up a national access point. The national access point shall constitute a single point of access for data users to the static, historic, observed and dynamic travel and traffic data of different transport modes, including data updates, as set out in the Annex, provided by the data holders within the territory of a given Member State.’
 - (b) paragraphs 3 and 4 are replaced by the following:

‘3. National access points shall provide discovery services to data users.

4. Member States shall reach an agreement, in cooperation with relevant ITS stakeholders, on the metadata requirements. The data holders shall ensure that they provide the metadata on the basis of those requirements.'

(c) the following paragraph 6 is added:

'6. Any entity providing data via the national access point may do so by proxy in accordance with applicable agreements, including through a third-party database or aggregator. That shall not relieve the original data holder of the obligations set out in Articles 3 to 8.'

(4) Articles 4, 5 and 6 are replaced by the following:

Article 4

Accessibility, exchange and reuse of static, historic and observed travel and traffic data

1. The data holders shall provide, via the national access point as set up in accordance with Article 3, access to the static, historic and observed travel and traffic data listed in point 1 of the Annex, of the different transport modes and means by using:

(a) for the road transport, the standardised format referred to in Article 4 of Delegated Regulation (EU) 2015/962;

(b) for other transport modes, one of the following standards and technical specifications, or any digital machine-readable format that can be proven fully compatible and interoperable with those standards and technical specifications, including for example through automatic converters and validators:

(a) NeTEx CEN/TS 16614 and subsequent versions;

(b) the technical specifications set out in Implementing Acts made under the rail interoperability Directive (EU) 2016/797;

(c) the technical documents published under the authority of the IATA Passenger Services Conference;

(d) Transmodel EN 12896 where there is no reference exchange protocol.

(c) for the spatial network the requirements set out in Article 7 of Directive 2007/2/EC.

2. The static, historic and observed travel and traffic data listed in point 1 of the Annex, for which NeTEx and DATEX II are applicable to, shall be represented through minimum EU profiles or minimum national profiles.

3. The data holders shall provide static, historic and observed travel and traffic data via the national access point set up in accordance with Article 3 in the required formats in accordance with the following timetable:

(a) for the travel and traffic data set out in point 1.1 of the Annex, except for point 1.1(d)(ix), for the comprehensive TEN-T network, by 1 December 2019;

- (b) for the travel and traffic data set out in point 1.2 of the Annex, except for points 1.2(a)(i) and (iii), and point 1.2(c)(ii), for the comprehensive TEN-T network, by 1 December 2020;
 - (c) for the travel and traffic data set out in point 1.3 of the Annex, except for point 1.3(c)(iii), for the comprehensive TEN-T network, by 1 December 2021;
 - (d) for the travel and traffic data set out in points 1.1, 1.2 and 1.3 of the Annex, except for point 1.1(d)(ix), points 1.2(a)(i), (iii) and (vii), point 1.2(c)(ii) and point 1.3(c)(iii), for the other parts of the Union transport network, by 1 December 2023;
 - (e) for the travel and traffic data set out in point 1.1(d)(ix), points 1.2(a)(i), (iii) and (vii), point 1.2(c)(ii) and point 1.3(c)(iii) of the Annex, for the entire transport network of the Union, by 1 December 2024;
 - (f) for the travel and traffic data set out in point 1.4 of the Annex, for the entire transport network of the Union, by 1 December 2025.
4. APIs providing access to static, historic and observed travel and traffic data listed in the Annex via the national access point set up in accordance with Article 3 shall be publicly accessible to data users, where relevant subject to registration.
 5. Data users and data holders shall collaborate in order to ensure that any inaccuracies related to the static, historic and observed travel and traffic data are notified without delay to the data holder from which the data originates.
 6. The data provided by data holders via the national access point shall not include personal data as defined in Article 4(1) of Regulation (EU) 2016/679.;

Article 5

Accessibility, exchange and reuse of dynamic travel and traffic data

1. The data holders shall provide, via the national access point set up in accordance with Article 3, access to the dynamic travel and traffic data listed in points 2.1 and 2.2 of the Annex, of the different transport modes and means by using:
 - (a) for the road transport, the formats referred to in Articles 5 and 6 of Delegated Regulation (EU) 2015/962;
 - (b) for the other transport modes, either of the following standards and technical specification, or any digital machine-readable format that can be proven fully compatible and interoperable with those standards and technical specifications, including for example through automatic converters and validators:
 - (a) SIRI CEN/TS 15531 and subsequent versions,
 - (b) the technical specifications set out in Implementing Acts made under the rail interoperability Directive (EU) 2016/797.
2. The dynamic travel and traffic data referred to in points 2.1 and 2.2 of the Annex, for which SIRI and DATEX II are applicable to, shall be represented through minimum EU profiles or minimum national profiles.

3. The data holders shall provide the dynamic travel and traffic data via the national access point set up in accordance with Article 3 in the required formats in accordance with the following timetable:
 - (a) for the travel and traffic data set out in point 2.1 of the Annex, for the comprehensive TEN-T network, by 1 December 2025;
 - (b) for the travel and traffic data set out in point 2.2 of the Annex, for the comprehensive TEN-T network, by 1 December 2026;
 - (c) for the travel and traffic data set out in points 2.1 and 2.2 of the Annex for the other parts of the Union transport network, by 1 December 2028.
4. Each Member State may decide that data holders shall provide the dynamic travel and traffic data of different transport modes listed in point 2.3 of the Annex, within the territory of that Member State, via the national access point set up in accordance with Article 3, data holders shall use SIRI CEN/TS 15531 and subsequent versions, or any digital machine-readable format that can be proven fully compatible and interoperable with those standards and technical specifications, including for example through automatic converters and validators.
5. APIs that provide access to dynamic travel and traffic data listed in the Annex via the national access point set up in accordance with Article 3 shall be publicly accessible to data users, where relevant subject to registration.
6. Data users and data holders shall collaborate in order to ensure that any inaccuracies related to the dynamic travel and traffic data are notified without delay to the data holder from which the data originates.
7. The data provided by data holders via the national access point shall not include personal data as defined in Article 4(1) of Regulation (EU) 2016/679.

Article 6

Data updates

1. Travel information services shall be based on the most recent accessible static, historic, observed and dynamic travel and traffic data.
 2. Where changes occur in the data referred to in paragraph 1 to this Article, the data holders shall update the relevant static, historic, observed and dynamic travel and traffic data listed in the Annex and make them accessible via the national access point set up in accordance with Article 3 within a timeframe allowing reliable and effective use of the data in accordance with Article 8. Where the changes are known in advance, the data holders shall also provide those updates to data users in advance. They shall also in a timely manner correct any inaccuracies detected by them in their data or notified to them by any data user or end user.’;
- (5) in Article 7, paragraph 1 is replaced by the following:
‘1. Upon request, travel information service providers shall provide to another travel information service provider routing results based on static, historic, observed and dynamic travel and traffic information.’;
- (6) in Article 8, paragraphs 1 to 4 are replaced by the following:

‘1. The travel and traffic data listed in the Annex and the corresponding metadata including information on the quality thereof shall be accessible for exchange and reuse within the Union on a non-discriminatory basis, via the national access point set up in accordance with Article 3 and within a timeframe allowing reliable and effective reuse of the data. Such data shall be accurate and up to date and based on minimum data quality requirements. To that effect, Member States in cooperation with relevant ITS stakeholders, shall reach an agreement on such minimum data quality requirements.

2. The data referred to in paragraph 1 shall be reused in a neutral manner, without discrimination or bias, towards the data holder. Criteria used for ranking travel options of different transport modes or combinations thereof, or both, shall be transparent and not be based on any factor directly or indirectly relating to the data user or end user identity or, if any, the commercial consideration related to the reuse of the data and shall be applied on a non-discriminatory basis to all participating data users or end users. The first principle travel itinerary presentation shall not mislead the end user.

3. Where reusing the static, historic, observed and dynamic travel and traffic data, the source of those data shall be indicated, if the data holder so requires. The update interval of the static, historic, observed and, where possible, of the dynamic data shall also be indicated.

4. The terms and conditions for the use of the traffic and travel data provided via the national access point set up in accordance with Article 3 may be determined through a licence agreement. Those conditions shall not unnecessarily restrict possibilities for reuse or be used to restrict competition. Licence agreements, whenever used, shall in any event impose as few restrictions on reuse as possible. Any financial compensation shall be reasonable and proportionate to the legitimate costs resulting from providing and disseminating the relevant travel and traffic data.’;

(7) Article 9 is replaced by the following:

‘Article 9

Assessment of compliance

1. Member States shall assess whether data holders and travel information service providers comply with the requirements set out in Articles 3 to 8.
2. In order to conduct the assessment referred to in the paragraph 1, the competent authorities of the Member States may request from the data holders and travel information service providers, the following documents:
 - (a) a description of the travel and traffic data accessible via the national access point, the information on the quality thereof and the conditions of reuse of that data;
 - (b) a description of the travel information services available including connections with other services where applicable;
 - (c) an evidence-based declaration of compliance with the requirements set out in Articles 3 to 8;
 - (d) the licence or contractual agreements with travel information service providers.

3. Member States shall randomly check the correctness of the declarations referred to in paragraph 2, point (c).’;
- (8) in Article 10, paragraph 2 is replaced by the following:
‘2. Member States shall provide the Commission with the following information as part of the progress reports provided for in Article 17(3) of Directive 2010/40/EU:
- (a) the progress made in terms of the accessibility and exchange of the travel and traffic data types set out in the Annex;
 - (b) the geographical scope of the data set out in the Annex accessible via the national access point set up in accordance with Article 3, and their quality, including the criteria used to define this quality and the means used to monitor it;
 - (c) the linking of travel information services;
 - (d) the results of the assessment of compliance referred to in Article 9, paragraph 1;
 - (e) where relevant, a description of changes to the national access point set up in accordance with Article 3.’;
- (9) the Annex is replaced by the text in the Annex to this Regulation.

Article 2

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Ursula von der Leyen