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The Council took note of the state of play regarding a proposal for a directive on the deployment of Intelligent Transport Systems (ITS) in the field of road transport.

The Commission proposal, presented in December 2008, has been considerably modified during its examination by the Council preparatory bodies, which also took into account the European Parliament's first-reading opinion of April 2009. Moreover, changes have been introduced following several informal talks with the European Parliament in recent weeks in order to prepare the ground for an early agreement between Council and Parliament.

The objective of the proposed directive is to accelerate and to coordinate deployment of interoperable ITS in road transport, including interfaces with other transport modes, by creating the necessary conditions and mechanisms through a coherent EU-wide framework.

The text as it stands is, in substance, acceptable for the Member States. On the eve of the Council meeting, the European Parliament also signalled its readiness to accept the substance of the text. Consequently, the Council now invited the competent bodies to finalise the agreement with the Parliament so that the directive can swiftly be adopted by both institutions once the Council has adopted its first-reading position at a forthcoming meeting.

However, there remains a more technical legal issue to be discussed with the Parliament, namely the provisions on "delegated acts", newly introduced following the entry into force of the Lisbon treaty. "Delegated acts" are decisions taken by the Commission in implementing legislative acts adopted by the Parliament and the Council.

Compromise reached: the key question where opinions diverged until recently was if, or to what extent, the deployment of ITS applications and services should be mandatory. Many Member States think, notably in view of the financial and administrative implications, that any decision to deploy ITS services should be taken at national level. Other Member States initially favoured making at least some ITS services mandatory, but were not unanimous as to which services should be chosen.

The European Parliament, in its first-reading opinion, advocated mandatory introduction of certain ITS services.

The compromise solution which has now been found includes, on the one hand, an assurance to Member States that they will have the final say on the deployment of ITS on their territory, and on the other hand, a two-stage procedure for introducing ITS through EU legislation: (i) first, the Commission adopts the necessary specifications for the action concerned; (ii) then, within 12 months and, where appropriate, after an impact assessment, the Commission presents a proposal for deployment of this action to the European Parliament and the Council, which will jointly decide upon it.

Some Member States, however, still fear that the non-mandatory character of the deployment provisions might not be clear enough and intend to make a statement on this issue when the directive is being adopted.