



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

COMMISSION IMPLEMENTING DECISION

of **XXX**

**on a standardisation request to the European Committee for Standardization as regards
automatic number plate recognition in support of Directive (EU) 2019/520**

(Only the English, French and German texts are authentic)

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on a standardisation request to the European Committee for Standardization as regards automatic number plate recognition in support of Directive (EU) 2019/520

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THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC,

98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council¹, and in particular Article 10 (1) thereof,

Whereas:

- (1) Directive (EU) 2019/520 of the European Parliament and of the Council² lays down rules on the proper functioning and deployment of interoperable electronic road toll systems through harmonisation of technologies and interfaces, for the payment of the road fee due. As specified in Article 2(10) of that Directive, electronic road toll systems use the automatic number plate recognition ('ANPR') technology amongst the possible technological solutions for the automatic detection of the presence of the vehicle in a certain location for the purposes of toll collection.
- (2) Article 3(2) of Directive (EU) 2019/520 requires the Commission to request the relevant European standardisation organisations ('ESOs') to swiftly adopt standards applicable to electronic road toll systems with regard, amongst others, to the ANPR technology, and to update them where necessary. Pursuant to Article 3(2) of Directive (EU) 2019/520, that request is to be made in accordance with the procedure laid down by Directive (EU) 2015/1535 of the European Parliament and of the Council³, which refers notably, in its Article 3, to situations where the Commission is to take, in cooperation with the Standing Committee set out by Article 2 of that Directive, all the necessary measures aimed at eliminating existing or foreseeable barriers to trade in the field of rules on Information Society services, including by harmonising those rules.

¹ OJ L 316, 14.11.2012, p. 12.

² Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union (OJ L 91, 29.3.2019, p. 45).

³ 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 (OJ L 241, 17.9.2015, p. 1).

The procedure to be followed by the Commission to submit a request to the ESOs is the procedure laid down in Article 10 of Regulation (EU) No 1025/2012.

- (3) Harmonised standards related to number plate recognition should help ensure a high level of interoperability of electronic road toll systems for European Electronic Toll Service ('EETS') users with or without on-board equipment ('OBE') across the Union and thus contribute to the free movement of persons and goods in the Union. Given that harmonised standards are technology-neutral and performance-based, they should also contribute to ensuring equal conditions of competition among toll chargers and toll service providers, in particular small and medium-sized enterprises. Indirectly those standards should also contribute to lower costs benefitting consumers in particular.
- (4) Several harmonised standards have been drafted in support of Directive (EU) 2019/520. Some of the harmonised standards need to be revised to take into account the introduction of the ANPR technology amongst the possible technological solutions for road tolls by Directive (EU) 2019/520.
- (5) The need for revision of those existing standards in support of Directive (EU) 2019/520 is stated in Action 5 of the chapter 'European Electronic Toll Service' of the Commission '2021 Rolling Plan for ICT standardisation'⁴ and in point 18 of the table set out in the Annex to the Commission Notice establishing the annual Union work programme for European standardisation for 2021⁵.
- (6) The European Committee for Standardisation (CEN) has conducted a pre-study on the use of vehicle licence plate information and ANPR technologies⁶ and indicated that the work covered by the request falls entirely within its area of competence.
- (7) It is therefore appropriate to request CEN to revise the existing European standards as referred to in Annex I, in support of Directive (EU) 2019/520.
- (8) The harmonised European standards should include detailed technical specifications for the interoperability of ANPR technologies. That will allow for the correct communication and functioning of the equipment of the parties involved and is aimed at achieving a smooth and secure functioning of the EETS interoperability and enforcement.
- (9) Information as to which essential requirements are covered by a harmonised standard is necessary when assessing, in accordance with Article 10(5) of Regulation (EU) 1025/2012, the compliance of the documents drafted by the ESOs. Such information is also necessary before publication of references of harmonised standards in the Official Journal of the European Union in accordance with Article 10(6) of Regulation (EU) 1025/2012. In each harmonised standard, CEN should therefore describe the extent to which it aims to cover one or several essential requirements set out in Directive (EU) 2019/520.
- (10) The ESOs have agreed to follow the Guidelines for the execution of standardisation requests⁷.

⁴ 2021 Rolling plan for ICT standardisation, p. 152 (available at <https://ec.europa.eu/docsroom/documents/44998>)

⁵ OJ C 437, 18.12.2020, p. 4.

⁶ FprCEN ISO/DTR 6026:2022 *Electronic fee collection — Pre-study on the use of vehicle licence plate information and automatic number plate recognition (ANPR) technologies*

⁷ SWD(2015) 205 final of 27 October 2015.

- (11) The obligation to pay road fees entails the exchange of data. Thus, the requested amendment of the European standards should ensure protection of personal data, in accordance with Directive 2002/58/EC of the European Parliament and of the Council⁸, Regulation (EU) 2016/679 of the European Parliament and of the Council⁹ and Directive (EU) 2016/680 of the European Parliament and of the Council¹⁰.
- (12) In order to ensure transparency and facilitate the execution of the requested standardisation activities, CEN should prepare a work programme and submit it to the Commission.
- (13) In order to enable the Commission to better monitor the requested standardisation work, CEN should provide the Commission with access to an overall project plan containing detailed information on the execution of the standardisation request.
- (14) Experience shows that during execution of the standardisation request, it may be necessary to adjust the scope of the request or the deadlines set therein. CEN should therefore promptly report to the Commission if it considers that more time is required to draft the standards than initially foreseen or that it is appropriate to adapt the scope of the request, in order to allow the Commission to take appropriate action.
- (15) In accordance with Article 10(3) of Regulation (EU) No 1025/2012 each standardisation request is subject to acceptance by the relevant European standardisation organisation. It is therefore necessary to provide for the rules on validity of this request if it is not accepted by CEN.
- (16) In order to ensure legal certainty as to the validity of the request after its execution, it is appropriate to provide for a date of expiry of this Decision.
- (17) The European standardisation organisations, the European stakeholders' organisations receiving Union financing, the Electronic Toll Committee established by Article 31 of Directive (EU) 2019/520 and the Commission expert group on electronic tolls, established in accordance with Commission Decision C(2016) 3301 final¹¹, have been consulted.
- (18) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 22 of Regulation (EU) NO 1025/2012,

HAS ADOPTED THIS DECISION

Article 1

Requested standardisation activities

⁸ 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).

⁹ 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).

¹⁰ Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

¹¹ Commission Decision C(2016) 3301 final of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

The European Committee for Standardization (CEN) is requested to revise the existing European standards referred to in Annex I in order to include automatic number plate recognition -related information by the deadlines set in that Annex.

The standards referred to in the first paragraph shall meet the requirements set out in Annex II.

CEN shall provide the Commission with the titles of the requested standards in all the official languages of the Union.

Article 2

Work programme

CEN shall prepare a draft work programme indicating all the standards listed in Annex I, the responsible technical bodies and a timetable for the execution of the requested standardisation activities in line with the deadlines set out in that Annex.

CEN shall submit the draft work programme to the Commission by 5 October 2023. CEN shall inform the Commission of any amendments to the work programme.

CEN shall provide the Commission with access to an overall project plan.

Article 3

Reporting

CEN shall report annually to the Commission on the execution of the request referred to in Article 1 indicating the progress made in implementation of the work programme referred to in Article 2.

CEN shall submit the first annual report to the Commission by 7 February 2024. Subsequent annual reports shall be submitted to the Commission by 31 December each year.

CEN shall provide the Commission with the final report by 31 March 2027.

CEN shall promptly report to the Commission any major concerns relating to the scope of the request referred to in Article 1 or the deadlines set out in Annex I.

Article 4

Validity of the standardisation request

If CEN does not accept the request referred to in Article 1 within a month of receiving it, the request may not constitute a basis for the standardisation activities referred to in that Article.

This Decision shall expire on 15 July 2027.

Article 5

Addressee

This Decision is addressed to the European Committee for Standardization.

Done at Brussels,

For the Commission

Adina-Ioana VĂLEAN

Member of the Commission



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ANNEXES 1 to 2

ANNEXES

to the

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ANNEX I

List of existing European standards to be revised as referred to in Article 1, first paragraph, and deadlines for adoption

	Reference information	Deadline for adoption by the CEN
1	EN ISO 12855 <i>Electronic fee collection – Information exchange between service provision and toll charging.</i>	31 December 2024
2	EN 16986 <i>Electronic fee collection – Interoperable application profiles for information exchange between Service Provision and Toll Charging.</i>	31 December 2025
3	EN 17154 <i>Electronic fee collection – Evaluation of implementation for conformity to EN 16986¹.</i>	31 December 2026

¹ Revision and conversion of CEN/TS 17154-1 into an EN

ANNEX II

Requirements for the existing European standards to be revised, as referred to in Article 1, first paragraph

Part A. General requirements

Legal requirements to be supported by the European standards

The revised European standards set out in Annex I shall support the application of the interoperability requirements referred to in Articles 3 and 15 of Directive (EU) 2019/520

They shall provide detailed technical specifications with regard to the interoperability of toll systems and constituents to ensure compliance with:

- (a) the interoperability requirements for the European Electronic Toll Service interfaces set out in points 2, 3.1 and 3.4 of Annex I to Commission Implementing Regulation (EU) 2020/204²,
- (b) the provisions on conformity to specifications and suitability for use of interoperability constituents set out in Annex III to that Regulation,
- (c) the requirements for interoperability constituents set in Annex II to the Delegated Regulation (EU) 2020/203³.

The updated European standard EN 16986 shall include a clear and precise description of the relationship between its content and the interoperability requirements set out in Annex I of Regulation (EU)–2020/204 that it aims to cover. The structure of this European standard shall make a clear distinction between its clauses and sub-clauses that are necessary for compliance with the interoperability requirements.

The updated European standards EN 16986 and EN 17154 developed on the basis of the request referred to in Article 1 shall refer to this Decision.

Technical requirements for the revised European standards

The European standards shall provide for the introduction of the following electronic interfaces for the use by or between European Electronic Toll Service (EETS) providers and toll chargers, to ensure the adequate functioning of the automatic number plate recognition (ANPR) system:

² Commission Implementing Regulation (EU) 2020/204 of 28 November 2019 on detailed obligations of European Electronic Toll Service providers, minimum content of the European Electronic Toll Service domain statement, electronic interfaces, requirements for interoperability constituents and repealing Decision 2009/750/EC (OJ L 43, 17.2.2020, p. 49).

³ Commission Delegated Regulation (EU) 2020/203 of 28 November 2019 on classification of vehicles, obligations of European Electronic Toll Service users, requirements for interoperability constituents and minimum eligibility criteria for notified bodies (OJ L 43, 17.2.2020, p. 41). *OJ L 43, 17.2.2020, p. 41–48*

Electro-optical imaging systems at the toll charger's fixed or mobile equipment at the roadside, providing means for ANPR, in toll systems where the installation and use of an on-board equipment is not required.

The European standards shall provide for the introduction of the following back office interfaces for the EETS providers and toll chargers to implement:

- (a) exchange of information to support exception handling from toll chargers to EETS providers;
- (b) exchange of EETS user-related lists from EETS providers and toll chargers;
- (c) exchange of trust objects;
- (d) exchange of toll context data;
- (e) exchange of payment claims according to the adopted business model, where relevant;
- (f) exchange of billing details, where relevant;
- (g) exchange of payment claims based on ANPR charging transactions, where relevant.

Part B. Specific requirements

Requirements for all standardisation activities

- (1) Standards and deliverables shall reflect the generally acknowledged state of the art.
- (2) Standards and deliverables shall ensure security of data. They shall reflect existing data protection practices in accordance with Directive (EU) 2016/680, Regulation (EU) 2016/679 and Directive 2002/58/EC.

Requirements for the revised European standards

- (1) Revision to EN ISO 12855, referred to in point 1 of Annex I
The existing "tool-box" standard will be extended to support image-based charging schemes.
- (2) Revision to EN 16986, referred to in point 2 of Annex I
The existing "interoperable application profile" standard will be extended to support image-based charging schemes.
- (3) Revision and conversion⁴ of CEN/TS 17154 Part 1 into EN referred to in point 3 of Annex I
The existing standard shall be extended to support the compliance evaluation of the implementation of the proposed future extension of EN 16986.

⁴ The conversion refers to the change from Technical Specifications into a European Standard.