



ROYAL NORWEGIAN MINISTRY  
OF TRANSPORT AND COMMUNICATIONS

European Commission - DG Mobility and Transport  
BE-1049, Brussels  
Belgium

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**Complementary remarks to the public hearing about the revision of the EETS regulations - directive 2004/52/EC and Commission Decision 2009/750/EC -**

Norway would like to make some complementary remarks to the online questionnaire.

We would like address the following topics:

- 1) The contractual relationship between the toll charger and the EETS-provider
- 2) Approved technology for toll charging according to the EETS regulations
- 3) Testing of the suitability of use
- 4) Regional solutions and a possible change of the scope of the regulations

**1 The contractual relationship between the toll charger and the EETS-provider**

The Commission proposes to modify the requirements for the EETS-providers and transfer a greater part of the risk to the toll chargers. In order to put forward such a proposal, it is Norway's opinion that there is a need for a thorough cost-benefit analysis prior to this. It is important to make stringent demands to the EETS-provider in order to get serious, economic viable and competent EETS providers.

In the further work with the revision of the EETS regulations the following questions should be addressed:

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- How should the costs related to the introduction of EETS-providers be divided between the EETS-providers and the toll chargers (i.e the costs related to the testing of the EETS-provider's OBEs in the different toll domains)
- Which warranties/insurances for outstanding amounts to the toll chargers should the EETS providers have?
- How long should the settlement period be?
- What should be the consequences for the toll chargers and the users if an EETS-provider goes bankrupt?
- How should we handle the users who have not been qualified as solvent by the EETS-provider?

## **2 Approved technology for toll charging according to the EETS regulations**

One kind of approved toll charging technology which is in accordance with article 2 letter c in directive 2004/52/EC is 5,8 GHz microwave technology which supports the reading of the OBE standard EN 15509. Norway has implemented this requirement. It has however been an increasing problem in the last years to manage to read the information from this frequency band. More and more vehicles have GPS, Wi-Fi and driver support systems which use the same frequency. For this reason it could be a lot of noise which makes it difficult to intercept the information from the OBE. This problem has also been raised in the Toll Committee and the Stockholm group. One option to resolve this problem could be to change the requirements concerning the frequency band in the EETS-regulations.

## **3. Testing of the suitability of use**

According to Annex IV point 2 in the Commission decision 2009/750/EC there should be carried out tests for the suitability of use of the EETS-equipment in the EETS domain. This implies the need to draw up requirements for functionality of the equipment and to carry out the actual tests. This also implies costs that have to be covered and regulated through the agreement between the toll charger and the EETS provider.

## **4 Regional solutions and a possible change of the scope of the regulations**

The Commission has mentioned the possibility of establishing regional EETS-solutions and a possible limitation of the scope of the directive to only apply for HGVs.

Norway has great experience with a regional EETS solution through the EasyGO cross-border

cooperation and sees this as a good solution on the way towards full interoperability between toll charging systems in Europe. Furthermore it sounds reasonable to limit the scope of the regulations to HGVs since they clearly are the ones who will profit the most from the EETS service.

#### **4 Final remarks**

Norway would like to emphasize that it is very important that future common regulations for EETS should be functional and dynamic since there is a continuous development of technology in this area. At the same time it is important to set out clear objectives to insure interoperability. It is also important that EU sees EETS in a broader perspective which should be linked to interfaces with other ITS solutions. However the freedom of action of the member states should not be limited more than what is necessary to insure interoperability.

The Commission should feel free to contact us if there should be necessary to elaborate on certain points. Norway will also be able to provide more inputs when we receive more information about the possible content of the coming proposal.

Yours sincerely,

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Adviser

*This document has been electronically signed.*