



Best Practices and recommendations for harmonised compliance assessment

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Abstract

Milestone report M5.2 presents the current European status of the compliance assessment of National Bodies/Competent Authorities for the Delegated Regulations No 885/2013, 886/2013, 2015/962 and 2017/1926, within the framework of the Task 5.1 “Best Practises, national legislation and National Body reference architecture” of the NAPCORE WG5.

In February 2022, four questionnaires for the DRs were distributed among 28 countries, i.e., EU Member States and Norway, to provide insights to the NB-NAP correlation and the NB/CA structure. Based on the questionnaires analysis, the NB-NAP implementation of each country and the existing compliance assessment processes were identified, revealing pressing issues, such as the identification of stakeholders and the inadequate European legislation. Moreover, the existing self-declarations forms and the accompanying documents were examined, in order to design EU-wide harmonised NB/CA documentation.

The assessment of the NB/CA maturity level was proposed to be classified through two scales, the operational and the harmonised. A simple binary grading system was chosen for both scales, referring to 19 responsibilities of four categories: preparation, materials, process description and actions. Austria, the Netherlands, Denmark and Finland tested the methodology to provide examples on the classification scales. In addition, the national legislation was analysed in order to investigate the detailed duties of national authorities. In total, 22 MS have designated the National Body/Competent Authority.

Until October 2022, only three countries, i.e., Belgium, Germany and Norway, have started to establish compliance assessment procedures, as indicated by the ITS Directive and the corresponding DRs. Their good practises were further analysed focusing on the design of NB/CA, the collaboration with service providers, the reception and the processing of self-declarations and the final compliance assessment. Evaluating these examples and taking into consideration the discussions and results of the WG5 workshops, specific recommendations were developed providing input for milestone report M5.3.

Abbreviations

Abbreviation	Meaning
AD	Accompanying documents
CA	Competent Authority
CAT	Core Alignment Team
DR	Delegated Regulation
EC	European Commission
ITS	Intelligent Transport Systems
NA	National Authority
NAP	National Access Point
NAPCORE	National Access Point Coordination Organisation for Europe
NB	National Body
MS	Member State
SC, SCOM	Steering Committee
SCS	Steering Committee Support
SWG	Sub-working Group
WG	Working Group
WP	Working Programme





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1. Introduction

The EU has adopted four delegated regulations (DRs) to provide detailed specifications for open road and transport data availability, supplementing the Intelligent Transport Systems (ITS) Directive 2010/40/EU. More specifically, DR No 885/2013 refers to reliable provision of information services for safe and secure parking places for trucks and commercial vehicles (SSTP), DR No 886/2013 to the provision of road safety-related minimum universal traffic information (SRTI), DR No 2015/962 (now in an updated version: 2022/670) to the provision of EU-wide real-time traffic information (RTTI) services and DR No 2017/1926 to the provision of EU-wide multimodal travel information services (MMTIS). Member States willing to deploy these services ought to comply with the requirements of the DRs.

Compliance Assessment is the framework for verification by the National Bodies/Competent Authorities, if the requirements set in the aforementioned DRs are followed. The examination of compliance is essential in order to ensure the reliability, the quality, and the availability of data and information services. Member States are responsible to carry out this process and can request a description of the provided data and a declaration of compliance from service providers, truck parking operators, and road operators. The National Body/Competent Authority is required to randomly verify the accuracy of the declarations in the case of safe and secure parking places and road safety-related traffic information services, as stated in DRs No 885/2013 and No 886/2013.

The modalities of compliance assessment in the various NAPCORE countries are described within this report. The structure of this report is as follows:

- **Chapter 1** provides a short introduction to the compliance assessment.
- **Chapter 2** titled 'European status' addresses the results of National Bodies/Competent Authorities questionnaires regarding the DRs No 885/2013 (SSTP), No 886/2013 (SRTI), No 2015/962 (RTTI) and No 2017/1926 (MMTIS).
- **Chapter 3** titled 'Maturity Assessment' addresses the progress classification of National Bodies/Competent Authorities.
- **Chapter 4** titled 'National Legislation Analysis' addresses the national legal regulations of compliance assessment.
- **Chapter 5** titled 'Best practises' addresses the positive examples of a few Member States.
- **Chapter 6** titled 'Recommendations for harmonised compliance assessment' addresses the provision of suggestions towards the development of harmonised compliance assessment processes.

2. European status

The assessment of the European status is the initial task of WG5. The aim is not only to survey the status quo of the Member States, but also to achieve a mutual understanding that provides for a harmonised compliance assessment review process. To be able to align the National Bodies/Competent Authorities, first of all the status must be known; this information was collected through a survey. An exchange of information and common learning is essential to find the best solution for all, since the implementation of already existing National Bodies/Competent Authorities varies. For this purpose, a questionnaire had to be developed, which is explained in more detail in subchapter 2.1. The questionnaire analysis is provided in chapter 2.2. The connection to the national access point (NAP) as well as the reporting and pressing issues are shown in the subchapters below.

2.1. Questionnaire design

The questionnaire from the NAP/NB Harmonisation group (2020) was adapted further and used as basis for the questionnaire of WG5. The current questionnaire is divided into eight main categories:

1. Contact information
2. Correlation to NAP
3. Format of National Body
4. Self-Declarations
5. Compliance Assessment
6. Reporting
7. Pressing issues
8. Additional questions/remarks

The first category aimed to identify the contact details of the National Body/Competent Authority (organisation name, email address of NB/CA or organisation, contact person name, contact person email, number of National Bodies/Competent Authorities, website URL). The correlation to NAP was the second category, which dealt with questions of how the NAP and NB/CA are connected or how the two work together. Category 3 analysed the format of the NB/CA, whether it is a separate organisation, its legal nature and how it relates to the DR. Questions on the use of self-declaration forms and the availability of templates were included under point 4. Furthermore, surveys were conducted on the number of self-declarations and supporting documents collected and the methods used to obtain them. Category 5 aimed to identify the process and procedures for compliance assessment and whether random inspections have been carried out. Here it was ascertained whether supporting documentation and quality criteria are available and if an organisation is compliant. Questions on reporting were dealt with in category 6: the language, the frequency, the time, and the recipient of the report were queried, as well as the procedure for the received self-declarations. Category 7 aimed to identify pressing issues and obstacles and category 8 left room for additional questions/remarks. The questionnaire was intended to be filled in for each DR separately. Annex I contains the questionnaire that was distributed.

The questionnaires were first sent out on 22nd February 2022 to all National Bodies/Competent Authorities, followed by continuous reminders to fill them in.

In total, 28 countries were asked to fill in one questionnaire per Delegated Regulation. Therefore, the initially expected number of questionnaires to be filled in was 112 questionnaires. The first evaluations were carried out with 65 questionnaires from 20 countries in May 2022. Additional, questionnaires were gathered and evaluated in October 2022. The evaluation is the topic of the following chapter 2.2.



2.2. Questionnaire analysis

The analysis of the questionnaires includes the response rate of the participating Member States and their responses based on the four delegated regulations (MMTIS 2017/1926; RTTI 2015/962; SRTI 886/2013; SSTP 885/2013) supplementing Directive 2010/40/EU. For this purpose, several sub-chapters were created covering questions on the NAP, NB/CA, self-declaration forms, compliance assessment and reporting.

2.2.1. Overview of responses

The table below shows the Member States that were contacted for completion of the questionnaires on the four DRs:

Table 1: Indication on questionnaires from Member States towards compliance assessment processes

Country	885/2013	886/2013	2015/962	2017/1926
Austria				
Belgium				
Bulgaria				
Croatia				
Cyprus				
Czech Republic				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				
Italy				
Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Norway				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				

The field colours in grey and green identify the different stages of the Member States, at the moment in time when the questionnaires were answered. Fields marked in green indicate that the respective country has submitted a corresponding response to the questionnaire. Fields marked in grey indicate that the respective country did not fulfil the necessary criteria to answer these questions or that responsibilities have not yet been conclusively clarified.



2.2.2. Correlation to NAP

The European Member States have different structures to describe the correlation of National Bodies/Competent Authorities to the respective National Access Points. The NB-NAP implementation as well as the status can currently be described with three different designs or categories:

1. NB-NAPs form a joint organisation, with direct communication and a process-organisational dependency.
2. NB-NAPs do not form a joint organisation; they work independently, but are in (close) contact with each other and can be subject to a clear hierarchy.
3. NB-NAP correlation cannot be conclusively determined due to lack of information. Reasons for this may be:
 - NB/CA has not been officially attributed
 - NAP must first be established
 - Not applicable yet

Table 2: Collection of statuses of NB-NAP relationships

Delegated Regulation	Joint Organisation	No Joint/Independent Organisation	NB/CA not attributed / NAP not established / Not applicable yet
2017/1926 (MMTIS)	AT / CY / DE / ES / FR / GR / LV / LT / LU / PL	BE / CZ / EE / FI / FR / HU / IE / RO / SE	BG / DK / HR / IT / MT / NL / NO / PT / SI / SK / UK
2015/962 (RTTI)	AT / CY / DE / DK / GR / LV / LT	BE / CZ / EE / FI / HU / IE / NO / RO / SE	BG / ES / FR / HR / IT / LU / MT / NL / PL / PT / SI / SK / UK
886/2013 (SRTI)	AT / DE / DK / GR / LV / LT	BE / CZ / EE / FI / HU / IE / IT / NL / NO / RO / SE	BG / CY / ES / FR / HR / LU / MT / PL / PT / SI / SK / UK
885/2013 (SSTP)	AT / DE / ES / GR / LV / LT	BE / CZ / EE / HU / IT / NL / RO / SE	BG / CY / DK / FI / FR / HR / IE / LU / MT / NO / PL / PT / SI / SK / UK

Examples of a joint organisation in DR 2017/1926 include the countries AT, DE and ES as mentioned in the table above. The case of AT shows that NAP and NB/CA are operated in one company with direct communication, but no common tasks or procedures are executed. The NB/CA is an independent entity located at the conciliation body, managed and operated by AustriaTech. There are no direct technical interfaces, but direct communication and close coordination are envisaged.

In Germany, the BASt (Federal Highway Research Institute) is the nominated NB/CA as well as managing/operating the NAP. The NAP offers some internal features for the NB/CA (e.g., view of digitally submitted self-declarations). In Spain, the NB/CA manages the NAP with ministry staff and they are responsible for receiving applications for registration in the NAP, inspecting the facilities and verifying the accuracy of the data provided in the application.

Independent bodies whose NAPs are not directly linked to NB/CAs within a company can be analysed in the EU Member States BE, CZ, HU and SE, among others.

In Belgium, for example, the task of the NB/CA is subcontracted to an independent (private) organisation mandated to check organisations for their compliance with the delegated acts. The NB/CA is a subcontractor of the NAP operator and both coordinate their tasks. At the end of each year, the NB/CA sends information to the NAP operator, who in turn informs the ITS steering committee.



The Czech and Hungarian NBs/CAs are independent of the NAP. In CZ a national information system CIS JŘ is responsible for the implementation of the MMTIS delegated regulation. The aim is to enable harmonisation as well as dissemination of data for different user groups. The Hungarian NB/CA is the Ministry for Innovation and Technology (MIT). The Hungarian Public Roads Company (MK) manages the NAP. The Ministry is the technical supervisory authority of the MK. The activities of the MK are based on state funding, which is administered by the MIT.

In Sweden, there is also an organisational separation, where the Swedish Transport Agency represents the NB/CA and the Swedish Transport Administration takes over the responsibility as well as the management of the NAP. Close cooperation ensures to inform data providers about the benefits and necessity of the NAP.

Norway, which is not an EU Member State but is part of the European Economic Area (EEA), also separates the responsibilities of the NB/CA and the NAP. The NB/CA is administered by the Norwegian Road Supervisory Authority (NRSA) and is completely independent of the NAP. Only if the NB, appointed by the Ministry of Transport, has questions regarding the DR, the NB/CA takes action and has no influence on the development of the NAP.

2.2.3. Format of National Body

As described above, the European Member States have different structures for National Bodies/Competent Authorities which also reflect on the format of NBs/CAs and their attributed responsibilities. The allocation of competences of a NB/CA does not have to be described by a legal act. Nevertheless, laws that clearly define the enforcement role of the NB/competent authority make their competence more visible.

From the 18 completed answers, the NB/CA is legally established in 10 MS (AT, BE, CY, CZ, DE, FI, GR, HU, NL, RO and NO). Five other MS highlight a case where the NB/CA has been nominated without a legal foundation, though their responsibilities and tasks are defined. In six countries, a NB/CA is not yet established (BG, HR, MT, PT, SI and SK).

Overall, answers highlight that one single NB/CA for the four DR, in most of the cases having a public nature, has been the most common approach. Exceptions are found in Belgium, Ireland and France.

In BE, an independent NB is assigned to control if the organisations subject to the DRs meet the requirements of the relevant DRs. The NB is an independent organisation (SME) with a large expertise in mobility and routing.

In IE, two NBs/CAs share the responsibility of monitoring whether the organisations comply with the delegated regulations. One is responsible for DR 2017/1926. The other one is responsible for DR 2015/962 and 886/2013. For DR 885/2013 no NB/CA has been established.

In FR, an independent organisation has been assigned to monitor whether all organisations affected by DR 2017/1926 meet the requirements of the DR. The agency that acted as the National Body for the other DRs mentioned has been dissolved and the role of the National Body has not yet been named.

Nonetheless, some MS indicate that they are undertaking a review process for the NB/CA. For instance, CZ reports that the Ministry of Transport of the Czech Republic temporarily carries out the duty of the ITS conformity assessment nominated body, and that situation is in the long run unsustainable, thus they are currently seeking a more appropriate solution for setting up the organisational model of conformity assessment procedures required by relevant DRs.



In ES, the NB/CA is the Ministry (MITMA). For DR 2017/1926, NAP operation and NB/CA are both fulfilled by the same entity, whereas for DR 885/2013, the NAP operation is under the General Directorate for Roads.

In IE, the NB/CA for DR 2017/1926 is the National Transport Authority (NTA). For DRs 2015/962 and 886/2013 the NB/CA is a different organisation: Transport Infrastructure Ireland (TII). There is no NB for DR 885/2013.

In FI, there is a single NB/CA which is a separate entity with the exception of DR 2017/1926 where the same entity operates and is the responsible authority. In the NL, NAP for MMTIS exists in a temporary form. In the future it will be set as a part of Ministry of Infrastructure or external body with the Ministry serving as supervising body.

Table 3: Format of National Body/Competent Authority

MS / DR	2017/1926	2015/962	886/2013	885/2013
AT	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined.			
BE	Single NB/CA; tasks subcontracted to (private) national control body; tasks defined.			
CY	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined	-	-	-
CZ	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined NB/CA fulfilled by the staff in the Ministry, a new model is under discussion			
DE	Single NB/CA, legal basis establishing the NB/CA, public nature, no specific NB tasks defined beyond the DR			
DK	-	Single NB/CA, no legal basis establishing the NB/CA, public nature, tasks defined		-
EE	Single NB/CA, no legal basis establishing the NB/CA, public nature, tasks defined			
ES	Single NB/CA, no legal basis establishing the NB/CA, public nature, tasks defined	-	-	Single NB/CA, no legal basis establishing the NB/CA, public nature, tasks defined
FI	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined			
FR	Single NB /CA, legal basis establishing the NB /CA, public nature, tasks defined	The agency that was the National Body/Competent Authority was discontinued and its role as National Body/Competent Authority has not been nominated yet		
GR	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined			
HU	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined			
IE	NB/CA for DR 2017/1926, legal basis establishing the NB/CA, public nature, tasks defined	NB/CA for DR 2015/962 and 886/2013, legal basis, public nature		-
IT	-	-	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined	
LT	Single NB/CA legal basis establishing the NB/CA, public nature, tasks defined			

LV	Single NB/CA, no legal basis establishing the NB/CA, public nature, no specific tasks for NB/CA defined			
NL	-	-	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined	
PL	No legal basis establishing the NB/CA, public nature, no specific tasks for NB/CA defined			
RO	Different NB/CA, Legal basis establishing the NB/CA, public nature, no specific tasks/ requirements. In progress	-	-	Different NB/CA, no legal basis establishing the NB/CA, public nature, tasks defined
SE	Single NB/CA, no legal basis establishing the NB/CA, public nature, no specific tasks for NB/CA defined			
NO	Single NB/CA, legal basis establishing the NB/CA, public nature, tasks defined			-

Overall, the tasks attributed to NB/CA meet the requirements as in the delegated regulations. In some MS tasks are attributed to the NB/CA:

- In Austria, the NB/CA is mandated to perform tasks related to compliance checks of the self-declarations, information and advice on the submission of self-declarations, collection and administration of self-declarations, random checks of the correctness of self-declarations, annual reporting on incoming self-declarations as well as with a role to develop support and consultancy of related topics.
- In Belgium, NB/CA tasks comprise activities related to controlling whether the required stakeholders registered on the NAP, random checks, and conflict solving.
- In Cyprus, some of the tasks undertaken by the NB/CA include strategic planning, evaluating stakeholder needs and information provision, and licensing and implementation.
- In Czech Republic, NB/CA is responsible for the supervision of the implementation of the delegated regulations (business letters and e-mails, regular meetings) as well as the compliance with the provisions laid down in the European Commission ITS delegated regulations.
- In Germany, there are no specific requirements/tasks related to the NB/CA beyond the ones in the DR, but the same unit/section is also responsible e.g., for reporting on the NAP related issues/questions to the ministry. The tasks laid out in the delegated regulations refer to a) setting up of the process(es) for the self-declaration; b) setting up and maintaining a website for informational purposes; c) contact point for questions and sent-in self-declaration forms; d) random checks of self-declarations (this has not been done so far); e) reporting on the self-declarations.
- In Lithuania, NB/CA assures the NAP establishment, monitoring data quality, enhancement of functionalities, training, and reporting.
- The Luxembourgish NB/CA is responsible for ensuring data exchange, strategic alignment, supervision, and above all acting as facilitator between data producers.
- In Norway, the main tasks for the NB/CA include the check of self-declarations and spot checks, reports are made after assessment of compliance.
- In Romania, NB/CA is entitled to establish quality and evaluation criteria, perform random inspections and compliance assessment.

- In Spain, NB/CA responsibilities include receiving the applications for registration in the NAP, inspect the facilities with its staff and verify the veracity of the data provided in the applications submitted. Once these tasks have been carried out, the facilities are registered in the NAP, indicating the LABEL classification obtained both in terms of services and security. Currently, there are no additional requirements for MMTIS.

2.2.4. Self-declaration forms/ Accompanying documents

When providing ITS services according to the ITS Directive stipulation, the data providers have an obligation to prove that their services are compliant with the respective delegated regulation requirements. This claim by the data providers could be later on assessed by National Bodies/Competent Authorities, whenever they are set up in a Member State.

Self-declarations shall serve two purposes:

- Formally declare that the provider is compliant with stipulations of the delegated regulation
- Provide evidence in form of accompanying documentation that supports a formal declaration.

In order to reduce the administrative burden for data providers as well as for the National Bodies/Competent Authorities uniform self-declaration forms were developed in cooperation with [TISA](#) (for SRTI and RTTI) and [ESPORG](#) (for SSTP). All forms are supported with an introduction letter and a list of definitions:

- Safety Related Traffic Information Services – [download](#)
- Real Time Traffic Information Services – [download](#)
- Safe and Secure Truck Parking Areas – [download](#)
- There is no harmonised form for Multimodal Travel information services

By filling in those forms and handing them over to a Member State representative, the data owner is claiming its compliance to a particular delegated act. To provide means of verification that the claims are valid and the data is compliant, the data owners shall also provide accompanying documents.

Following chapters summarise information collected throughout the Member States and focus on:

- The number of self-declarations handed over by data owners,
- Use of harmonised self-declaration forms,
- Presence or treating of accompanying documentation and
- Handling of self-declarations by MS authority.

2.2.4.1 General note on Self-declarations and accompanying documents

Since self-declarations are an obligation, they were developed to be as concise as possible, in a form addressing each article of the delegated regulations with an obligation or requirement and a checkbox to indicate that the data are compliant with the stipulations in the articles. All self-declarations contain an obligation to provide additional documents as a proof, but these documents are neither harmonised, nor have these been received in many cases.

Self-declarations were mostly collected in a harmonised EU EIP form. DE and BE have, instead of using harmonised EU-EIP forms, provided an online checkbox when registering a dataset at the NAP. In the case of Germany, instead of using the standard form, there is simply a checkbox to tick, confirming



that a dataset is compliant. This approach backfired, making the allocation of the dataset to a particular delegated regulations impossible. The reported number of self-declarations for Germany is therefore unreliable. In the case of Belgium, as there was no existing harmonised form for multimodal travel information services, a checkbox was foreseen which the data and service providers could check when registering their dataset on the NAP to declare their compliance with articles 3-8 of Delegated Regulation 2017/1926 (MMTIS).

An extra effort from NB/CA or MS representatives was required to collect self-declarations as reported by most MS that received any self-declaration. The exceptional number (94 for DE and 22 for BE, see table 4) of self-declarations collected by online form indicates that inclusion of the checkbox into NAP dataset registering process greatly enhances collectability of self-declarations.

A self-declaration is a serious commitment and should not be taken lightly. The online checkboxes present the potential problem of an erroneous submission. Furthermore, online submissions do not necessarily represent a strong commitment of the organisation, as would a self-declaration that has to be legally signed by a company officer. Also, submission of accompanying documentation is more likely for physical self-declarations. The decision whether to submit online or physically is critical, as both modes have advantages and disadvantages.

In the questionnaire, a problem arose with the number of self-declarations received. One country (Norway) gave the total amount of self-declarations received, i.e. several per provider, while other countries gave either a number without explanation or the number of providers. This exposes potential problems with providers not sending their self-declaration physically but only by a checkbox. This also indicates that future questionnaires need to be more specific regarding what is referred to when counting the number of self-declarations.

Only a few countries have actually collected self-declarations, four countries for SSTP, nine for SRTI, eight for RTTI and two for MMTIS. The number of accompanying documents submitted was lower than the number of self-declarations collected. This indicates a further need for action, which shall be tackled by NAPCORE, Task 5.2, when improving the recommendations in the upcoming years. Table 4 illustrates a detailed breakdown of answers per delegated regulations.

Table 4: Number of received self-declarations (SD) and accompanying documents (AD) per delegated regulation and country

	Country	Austria	Belgium	Bulgaria	Croatia	Cyprus	Czech Republic	Denmark	Estonia	Finland	France	Germany	Greece	Hungary	Ireland	Italy	Latvia	Lithuania	Luxembourg	Malta	The Netherlands	Norway	Poland	Portugal	Romania	Slovakia	Slovenia	Spain	Sweden
885/2013	SD	1	0				0	0	0	0	94	0	0		0	0	0	0		9				0			40	0	
	AD	1	0				0		0	1	0	0	0		0	0	0	0		0				0				0	
886/2013	SD	4	0				1	10	0	3	94	0	0	0	0	0	0	0		4	8		15	0				2	
	AD	4	0				1	3	0	0	0	0	0	0	0	0	0	0		1	1(5)		0	0				0	
2015/962	SD	5	0			0	2	8	0	2	75	0	0	0	0		0	0			2		15	0				1	
	AD	4	0			0	0	0	0	0	0	0	0	0	0		0	0			2		0	0				0	
2017/1926	SD	0	22			0	0	0	0	0	94	0	0	0	0		0	0	0		0	0	0	15	0		0	0	
	AD	0	0			0	0		0	0	0	0	0	0	0		0	0	0		0	0	0	0	0		0	0	

2.2.4.2 SSTP 885/2013 – Safe and Secure Truck Parking

Only Austria (1) and Netherlands (9) collected self-declarations relevant to the SSTP Delegated Regulation. Collected self-declarations are either in the form of a physical document (electronically or physically signed) or as a database record of a user web action when registering dataset in NAP, the form content available online, all compatible with EU EIP forms.



Many data providers did not submit self-declarations. This could be explained by the fact that their data is also published on the EC Data Portal (<https://data.europa.eu/data/datasets/etpa?locale=en>), which has an inherent quality control. Spain has provided information of 40 collected self-declarations. These however serve a different purpose since these are meant for a different delegated regulation about safe and secure parking (Directive 2008/96/EC).

Only the Austrian data provider (1) sent accompanying documents (ADs) together with the self-declaration. The accompanying documentation is in the form of detailed internal source documentation.

2.2.4.3 SRTI 886/2013 – Safety Related Traffic Information

In total, nine countries have received self-declarations for SRTI data sets.

Portugal reported same numbers for SRTI and RTTI services, all 15 road operators have submitted both self-declarations as this is a requirement for registering a record.

Norway indicated that they received eight declarations. This number however represents the total sum of declarations collected from two organisations throughout the years 2016-2022. This is rather important, since the questionnaire did not specifically inquire whether the number of self-declarations is per organisation or a total sum over the years. It may be a common case that providers just send one (initial) self-declaration per dataset.

Providers from five countries, (AT (4), CZ (1), DK (3), NL (1) and NO (1)), sent, together with self-declarations, accompanying documents. The accompanying documentation varies in quality and quantity from a simple one-pager with limited information to a detailed internal source documentation.

In Denmark, according to the questionnaire, only “some” accompanying documents were collected, so the number three represents an estimation. In Norway all accompanying documents are sent by one provider so it is assumed they are the same.

Three countries (DE, PT and SE) have not received accompanying documentation with the provided self-declaration.

2.2.4.4 RTTI 2015/962 – Real Time Traffic Information

Only eight countries have received self-declarations for RTTI. Portugal has the highest number of submitted physical self-declarations (15) since all 15 road operators have submitted the self-declarations as this was a requirement for dataset registration. Apart from public organisations unusually submitting self-declarations, a private company, TomTom, also supplied the RTTI self-declaration to NBs in many (if not most) Member States.

Norway indicated that they received two declarations, this number however represents the total sum of declarations collected from NPRA over the years 2018-2020. Only in two countries, Austria (4) and Norway (1), did providers send ADs together with self-declarations. In total, six countries (CZ, DK, FI, DE, PT and SE) have not received any ADs with the provided self-declarations.

2.2.4.5 MMTIS 2017/1926 – Multimodal Travel Information Services

In total three countries stated that they received self-declarations related to MMTIS. Answers from two countries with positive self-declaration responses are likely an error. It is possible that the



reason for not receiving self-declarations is due to non-existing harmonised forms. It is very likely that reported numbers from Portugal are incorrect due to copy pasting a paragraph from other questionnaires.

Belgium, that received 22 self-declarations, managed to do that by incorporating a checkbox into dataset registration form. There are no ADs collected by Belgium, possibly due to the fact that the self-declaration form is only a tick box.

2.2.5. Compliance assessment

In general, it can be stated that there are no national implementations of compliance assessment procedures for the four relevant delegated regulations yet. Nevertheless, initial process steps can be identified, although these are developments in the early stages. Due to the status quo, follow-up measures such as the verification of such procedures are not available, and accompanying documents, quality criteria or random inspections in case of non-compliance are accordingly not yet available or not yet defined. The questionnaire to the Member States has at least yielded a few insights, which will be described in more detail below.

2.2.5.1 SSTP 885/2013 – Safe and Secure Truck Parking

None of the Member States could present practicable compliance assessment forms or complete national implementations of compliance assessment procedures. ES and NL have (according to questionnaire) compliance assessment processes subjected to further evaluation and development. AT provided method steps (e.g., selection of random SDs, review of content of SDs on a theoretical/content level, discussion on results...) for compliance assessment processes.

ES states that technical staff of the NB/CA inspects the facilities “in situ” to proceed with their classification. The declarations received are sent to the highway agency responsible for the province in which the facilities are located. But the process is not related to the implementation of the SSTP 885/2013.

NL noted that implementation is difficult due to lack of enforcement possibilities.

2.2.5.2 SRTI 886/2013 – Safety Related Traffic Information

None of the Member States could present practicable compliance assessment forms or complete national implementations of compliance assessment procedures. CZ, DK and NO (according to questionnaire) provided valuable comments related to compliance assessment methods. CZ states that compliance assessment process has not yet been formally established. However, there is sufficient experience associated with the project of KPI monitoring of the FCD data feed into NDIC which was executed by Transport Research Centre (CDV).

DK has some established procedures for dialogue with service providers and the Danish Road Directorate has hired consultants to test how well selected service providers are passing on the traffic information. But no operable compliance assessment process has been implemented yet.

In NO the Norwegian Public Roads Administration (NPRA) provides a report with related activities and explanations and random inspections have been executed by the NRSA. If an organisation is not compliant with the delegated regulations, these are reported to the Ministry of Transport and they have to instruct or get the organisation to fulfil the delegated regulation. NRSA doesn't have any possibility to give direct orders for corrections.



2.2.5.3 RTTI 2015/962 – Real Time Traffic Information

None of the Member States could present practicable compliance assessment forms or complete national implementations of compliance assessment procedures. GR reports that during the design and development of the Greek NAP, a specific process supporting the operation of National Body/Competent Authority and the execution of compliance assessment has been prescribed. Such a process is under investigation for further improvement.

CY states that currently the NAP for Cyprus is under major upgrade therefore compliance assessment procedures are not in place.

2.2.5.4 MMTIS 2017/1926 – Multimodal Travel Information Services

One of the Member States (Belgium) could present practicable compliance assessment forms/procedures. In BE the control body uses the web-portal and the CKAN API interfaces to collect metadata on organisations, datasets and resources published on the NAP. A sequence of processes takes place as can be seen in Figure1.

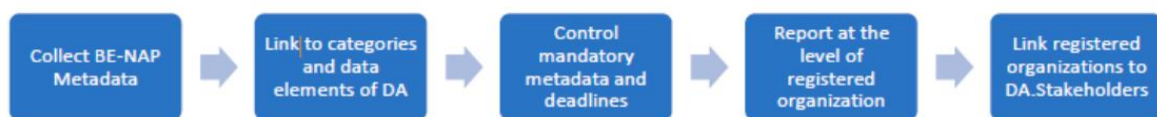


Figure 1: Belgium Compliance Assessment Process

The last step 'Link registered organisations to DA Stakeholders' means that organisations registered on BE-NAP need to be linked to organisations from the stakeholders list. DA Stakeholders are organisations from the stakeholders list that are concerned by the commission delegated regulation (EU) 2017/1926. At this stage, organisations, datasets, and resources of the BE-NAP need to be flagged with a timestamp since the situation can change every day. However, the process can be applied at any time.

The control body performed stratified random inspections. The NAP-operator and the NAP-MMTIS working group chose this approach to ensure that the different types of stakeholders were inspected (which might not have been the case in case of totally random inspections). Actions after compliance assessment: The NAP-operator organised a large email campaign where all organisations not in compliance with the DR were informed. Also, a meeting with the NAP-operator, the control body, the transport administrations, and the Public Transport Organisations (PTOs) was organised to discuss the results of the control body together and to see how PTOs can improve the registration of their datasets on the NAP in the future.

Further insights in the compliance assessment in Belgium is document in Chapter 5.2.1.

2.2.6. Reporting

In accordance with the delegated regulations supplementing ITS Directive the National Body/Competent Authority, assessing whether the requirements set out in the relevant delegated act are fulfilled by data/information, service providers shall report to the national authority on the results of compliance assessment. Respectively, Members States shall report to the European Commission on

the progress made at the national level in implementing the requirements of the delegated act. Reporting requirements are different among delegated regulations in terms of information requested (report content), frequency of reporting, and deadlines for submission. It is noteworthy that currently there is no uniform format that should be utilised by National Bodies/Competent Authorities and Member States for their reporting.

The countries that answered the survey “Questionnaire for National Bodies” (category – Reporting) confirmed that the reports they submitted are in accordance with requirements set out in the delegated acts. It should be noted that countries did not provide valuable comments related to the structure and level of detail of the report. For example, some countries (AT, BE, DK, DE and GR) stated that they provide reports as annual conclusion/status report/short report/relevant statements which are included in the periodic reports. Also, NO declared that the reporting is based on the self-declarations and random inspection and RO stated that the reporting is without random inspection, etc. Furthermore, some countries (CY, LV and CZ) confirmed that currently no formal reporting procedure is defined.

The survey results showed that in many countries, the self-declarations and the reports to the Member States are usually written in national language(s), in some cases national language and English (DE, GR and BE), and for the reporting to EC in English. The National Bodies submit reports to the Ministries, which the latter submits to the EC. There is also a case in which reports are made available on the NB/CA website (NO).

In many countries the self-declarations received from respondents are handled in a similar way. As usually self-declarations received from respondents are checked and archived. Some countries indicated different aspects of the process e.g., self-declarations receiving by e-mail (FI), self-declarations are checked and filled out correctly (DK, NO, PT and SE), self-declarations are stored on a secured infrastructure (AT, DK and SE). In BE for SRTI, RTTI and SSTP filled-in self-declarations are uploaded on the NAP by the organisation. Only the NAP-operator and the organisation can view the uploaded self-declarations.

Based on analysis of the results of the conducted survey, the whole reporting process, including preparatory steps, can be distinguished into following phases, to be carried out by the National Body/Competent Authority:

- Preparation phase – management of self-declaration form templates which will be used for the reporting period, managing the list of respondents to whom the self-declaration forms will be distributed, etc.
- Distribution and collection phase – informing the respondents about their duties for submitting self-declarations, receiving the information (filled-in self-declaration forms with accompanying documents, data sets and/or metadata), registration of documents received from respondents, formal check for correctness of documents received and archiving, etc.
- Analysis of compliance assessment and random inspection phase – reviewing completed and checked documents for compliance assessment, creating a list of respondents for random inspection, carrying out the random inspection, etc.
- Analysis and reporting to MS – analysis of the results of compliance assessment and random inspection, analysis of other sources of information, producing the analytical tables, preparation of the compliance assessment report (according to the proposed template) and submitting to the Ministry.
- Evaluation and reporting to EC – evaluation of the compliance assessment report received from National Bodies/Competent Authorities, evaluation of progress made in implementing

the requirements of the relevant delegated act, preparation of the final report (according to the proposed template) for submission to the European Commission.

In order to harmonise the reporting process described above, relevant recommendations by NAPCORE are presented in Milestone Report M5.3.

2.2.7. Pressing Issues

This section is dedicated to the issues reported by the existing NB/CA in the questionnaire. The questionnaire was divided into four parts for each of the delegated regulations, but most Member States reported the same issues for all the delegated regulations.

Many Member States report the same issues regarding the problems in the identification of the stakeholders, lack of the EU-wide harmonised self-declaration forms, and unclear procedures for compliance assessment, as well as inadequate current European legislation. Below, some of the specific issues for each Member State are included. AT questions when the quality of a dataset is sufficient for a positive inspection result and how to measure it. CY reports delays in tendering procedures. CZ accentuates the inadequacy of the current EU legislation about assessment of conformity or suitability for use for all four delegated regulations. DK, FI, and GR report problems with signing and understanding (DK) the self-declaration forms by stakeholders. DK also states the lack of enforcement measures for those providers that do not want to sign the self-declaration forms. For EE, the pressing issue is the too-tight timetable and cost-effectiveness of information systems. Due to a considerable number of stakeholders in FI, they are concerned by the requirements and obligations coming from the delegated regulation for MMTIS.

DE is setting up a new NAP system, and is awaiting an EU-wide harmonised approach for the handling of self-declarations, assessment criteria etc., and states that incorrect application of the self-declaration submission leads to an unclear situation of "real" self-declarations. HU and LT lack human capacity and professional knowledge. LT is dealing with upgrades and modernisation of ITS-related platforms.

Some countries don't have fully functional NAPs and/or NBs/CAs. PT relates the designation of the NB/CA as a pressing issue and foresees a future lack of human resources. LV awaits the deployment of a NAP by the end of 2023, and the development of regulations concerning traffic data and its provision on the NAP. RO does not have a fully functional NAP.

LU states that the processes derived from the EU legislative were designed by large countries for large countries and that LU has a lack of stakeholder engagement. PL's issues derive from the need to design the national NeTEx profile and IT solution for translating data into NeTEx format.

3. Maturity Assessment

This section presents the developed methodology on NB/CA maturity levels as well as the examples from its application. The motivation behind the development of maturity levels is to provide a simple tool to classify the level of implementation of National Bodies/Competent Authorities in a harmonised way across Europe. It also enables identification of the necessary next steps to increase the level of maturity, by pointing towards the gaps. The aim is to create a pragmatic way to classify the degree of maturity, easily understandable and serving as a good communication tool, whilst allowing for comparability with other countries. The overarching objective for reaching the highest level of maturity, is being a functional and European harmonised National Body/Competent Authority, carrying out its obligations according to the DRs.

3.1. Adopted methodology

In the procedure of setting up processes for compliance assessment and random inspections, an early process proposal, laid down in chapter 2.2.6 “Reporting” was used as intermediate step to develop a maturity level classification with four categories: preparation, materials, process description and actions.

The **preparation** category includes five responsibilities:

1. A NB/CA is legally established.
2. A NB/CA is active or an instance is nominated as the NB/CA organisation.
3. An organisational structure is created at the NB/CA.
4. A repository for storing documents in a GDPR conform way is available at the NB/CA.
5. Public information about the NB/CA and NBs/CAs functionalities is provided.

The **materials** category includes four responsibilities. The points 6, 7 and 8 include “harmonised” in parenthesis because an operational and a harmonised maturity level are introduced. The difference between these levels is explained below.

6. (Harmonised) self-declaration forms (SD) are used.
7. (Harmonised) forms for compliance assessment are used.
8. (Harmonised) report structure to MS or NA is used.
9. List of respondents exists.

The category **process description** has five responsibilities where two (12 and 13) also include “harmonised” in parenthesis:

10. Process has been established for request/sending out self-declaration (SD) forms.
11. Process has been established for receiving SD forms.
12. Process has been established for (harmonised) review/validation of SD forms.
13. (Harmonised) random inspection and compliance assessment process has been established (including selection, validation, information and improvement process).
14. Reporting process has been established.

The last category is called **actions** and includes five responsibilities:

15. Delegated regulation relevant data publishers (on NAP) have been requested to self-declare.
16. At least one filled SD form was received.
17. At least one filled SD form was reviewed.
18. At least one random inspection and compliance assessment was carried out.



19. Reports to MS or NA were submitted.

All four categories together comprise 19 responsibilities. The operational as well as the harmonised maturity level are evaluated with a binary grading system. For the operational maturity level this means that each fulfilled responsibility gets one point – whether it is harmonised or not been considered. Therefore, 19 points are 100%. Over-achievement is not possible. Although easy and hard responsibilities are equally valued, this approach was chosen because a weighted grading system would be more complicated. As indicated in Figure 2, the operational maturity level is shown on a scale with a colour transition from red to yellow to green and as percentage. This formula shall be used to receive the achieved percentage with n points.

$$\% = \left(\frac{100}{19}\right) \cdot n$$

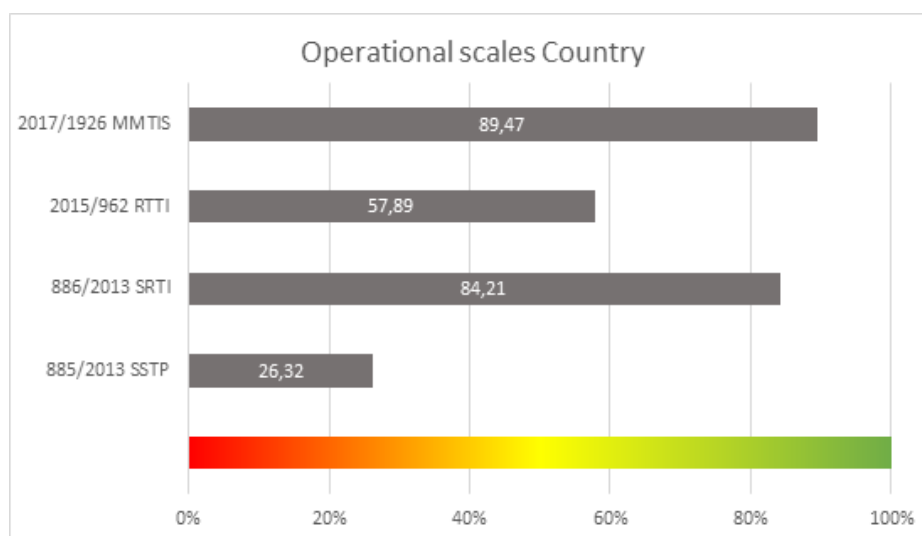


Figure 2: Operational scales

The second scale measures the harmonisation of the National Body/Competent Authority. Five of the 19 responsibilities (6, 7, 8, 12 and 13) can be fulfilled either with harmonised materials, processes or individual ones. In this context, “harmonised” means aligned in the NAPCORE project. If the harmonised material or process is used, which is worked out by NAPCORE WG5, the National Body/Competent Authority gets one point. If an individual material and process is used, the National Body/Competent Authority gets no points. Therefore, the maximum points to achieve are five. Depicted in Figure 3, the harmonisation maturity level is shown with a colour transition from red to yellow to green and as percentage. This formula shall be used to receive the achieved percentage with n points.

$$\% = \left(\frac{100}{5}\right) \cdot n$$

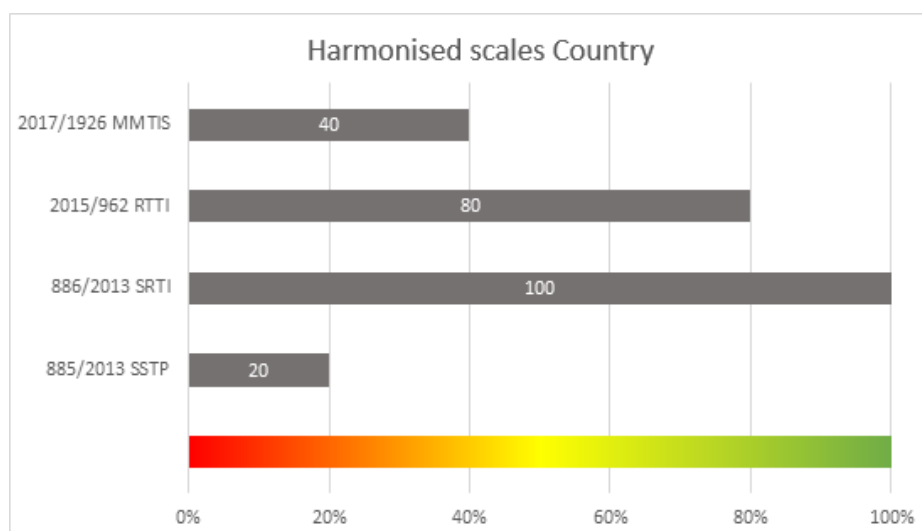


Figure 3: Harmonised scales

The maturity level will be evaluated for each delegated regulation individually. Therefore, four operational scales and four harmonised scales per country will be the result. For the application of this classification see chapter 3.2.

3.2. Examples of classification of Member States

In this chapter three examples on the classification of Member States will be presented. The countries Austria, the Netherlands, Finland, and Denmark have volunteered to test the methodology of the classification. The remaining Member States will be classified in January 2023 and from then onward once a year.

In this report the harmonised maturity level will not be assessed because the harmonised materials and processes have yet to be accepted by the Steering Committee as NAPCORE recommendations.

The 19 responsibilities of a National Body/Competent Authority are added into the lines of an Excel Sheet and the columns are the four DRs. Each delegated regulation is evaluated on operational and on harmonised level. In the table only the coloured cells must be filled-in for the evaluation. In the last two lines the summed-up points and the achieved percentage are calculated. The calculated percentage will then be visualised as shown in chapter 3.1. Additionally, a guide to the maturity level classification table is provided to prevent misunderstandings. The table and the guide are attached in Annex II.

3.2.1. Austria

Figure 4 showcases the status of Austria. For Delegated Regulations 885/2013 SSTP, 886/2013 SRTI and 2015/962 RTTI about 84% are achieved. For Delegated Regulation 2017/1926 MMTIS the Austrian National Body/Competent Authority only has a maturity of about 26%. The table filled-in by the Austrian National Body/Competent Authority is attached in Annex III. For Delegated Regulations 885/2013 SSTP, 886/2013 SRTI and 2015/962 RTTI the missing responsibilities are:

7. (Harmonised) forms for compliance assessment are used.
13. (Harmonised) random inspection and compliance assessment process has been established (including selection, validation, information and improvement process).



18. At least one random inspection and compliance assessment was carried out.

For Delegated Regulation 2017/1926 MMTIS all responsibilities in the process description category and the actions category are not fulfilled as well as:

2. A NB/CA is active or an instance is nominated as the NB/CA organisation.
3. An organisational structure is created at the NB/CA.
7. (Harmonised) forms for compliance assessment are used.
9. List of respondents exists.

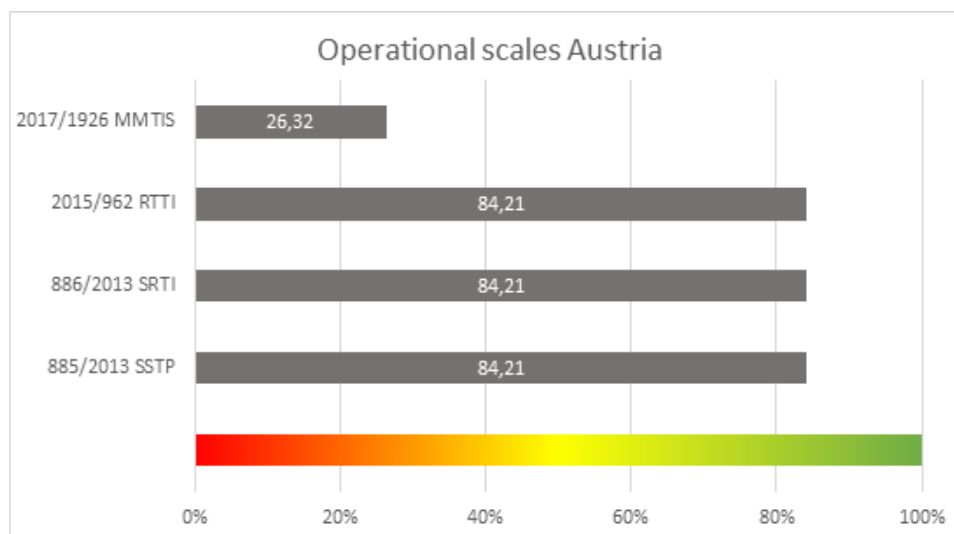


Figure 4: Operational scales for Austria

3.2.2. Denmark

In Denmark, Figure 7 indicates that currently National Bodies/Competent Authorities exist for Delegated Regulations 886/2013 and 2015/962. For both the maturity is at 47.37%. Nine of the 19 responsibilities are fulfilled. The table filled-in by the Danish National Body/Competent Authority is attached in Annex III. The missing responsibilities are:

1. A NB/CA is legally established.
3. An organisational structure is created at the NB/CA.
5. Public information about the NB/CA and NBs/CAs functionalities is provided.
7. (Harmonised) forms for compliance assessment are used.
8. (Harmonised) report structure to MS or NA is used.
10. Process has been established for requesting/sending out self-declaration (SD) forms.
12. Process has been established for (harmonised) review/validation of SD forms.
13. (Harmonised) random inspection and compliance assessment process has been established (including selection, validation, information and improvement process).
14. Reporting process has been established.



18. At least one random inspection and compliance assessment was carried out.

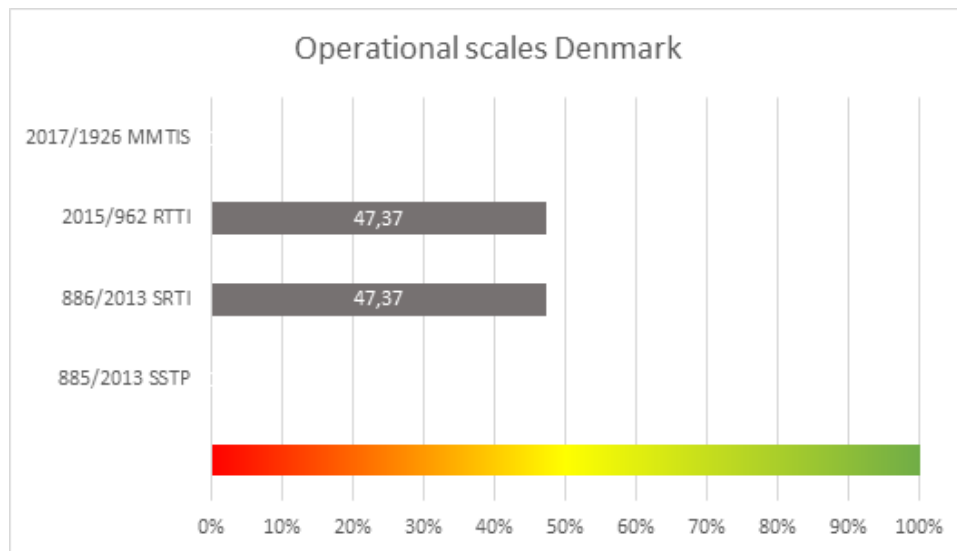


Figure 5: Operational scales for Denmark

3.2.3. Finland

The status in Finland is visualised in Figure 5. Since Finland has no truck parking area that fulfils the requirements, the National Body/Competent Authority for Delegated Regulation 885/2013 SSTP is at only 15.79% maturity. The table filled-in by the Finnish National Body/Competent Authority is attached in Annex III. The three fulfilled responsibilities are:

1. A NB/CA is legally established.
4. A repository for storing documents in a GDPR conform way is available at the NB/CA.
5. Public information about the NB/CA and NBs/CAs functionalities is provided.

For Delegated Regulations 886/2013 SRTI and 2015/962 RTTI the National Body/Competent Authority reached over 50%. The missing responsibilities are: 3. An organisational structure is created at the NB/CA.

7. (Harmonised) forms for compliance assessment are used.
9. List of respondents exist s.
10. Process has been established for requesting/sending out self-declaration (SD) forms.
12. Process has been established for (harmonised) review/validation of SD forms.
13. (Harmonised) random inspection and compliance assessment process has been established (including selection, validation, information and improvement process).
14. Reporting process has been established.
15. Delegated regulation relevant data publishers (on NAP) have been requested to self-declare. **(Only missing for DR 2015/962 RTTI)**
18. At least one random inspection and compliance assessment was carried out.



For Delegated Regulation 2017/1926 MMTIS only five responsibilities are fulfilled, which leads to 26.32% maturity. The five fulfilled responsibilities are:

1. A NB/CA is legally established.
2. A NB/CA is active or an instance is nominated as the NB/CA organisation.
4. A repository for storing documents in a GDPR conform way is available at the NB/CA.
5. Public information about the NB/CA and NBs/CAs functionalities is provided.
19. Reports to MS or NA were submitted.

Although, Finland has acknowledged that the National Bodies/Competent Authorities are working on some responsibilities, no point was counted for this because only completely fulfilled responsibilities can be taken into account.

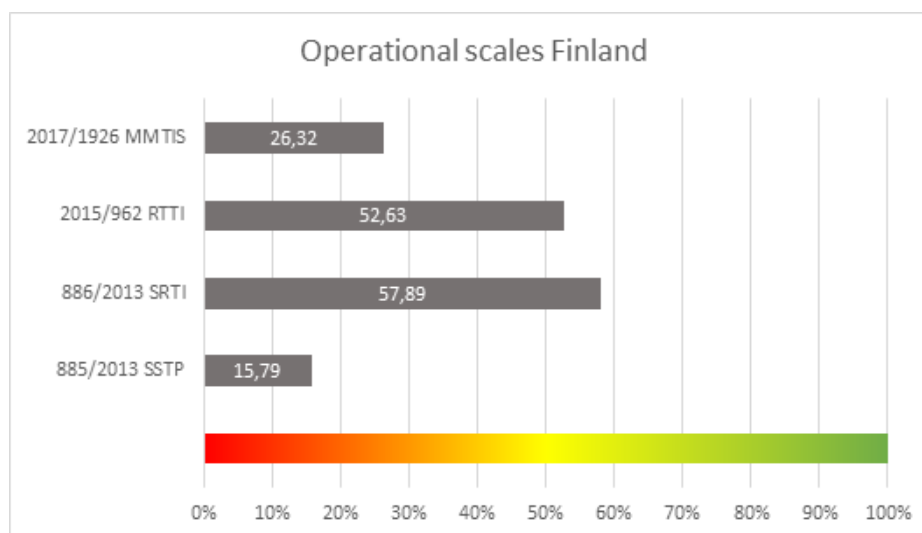


Figure 6: Operational scales for Finland

3.2.4. Netherlands

The scale in Figure 6 showcases the status of the Netherlands. Since for the Delegated Regulations 2015/962 RTTI and 2017/1926 MMTIS no National Body/Competent Authority is established yet, only the maturity of the National Body/Competent Authority for the other two DRs were assessed. The table filled-in by the Dutch National Body/Competent Authority is attached in Annex III. From the 19 responsibilities only two are not fulfilled at the moment:

7. (Harmonised) forms for compliance assessment are used.
18. At least one random inspection and compliance assessment was carried out.

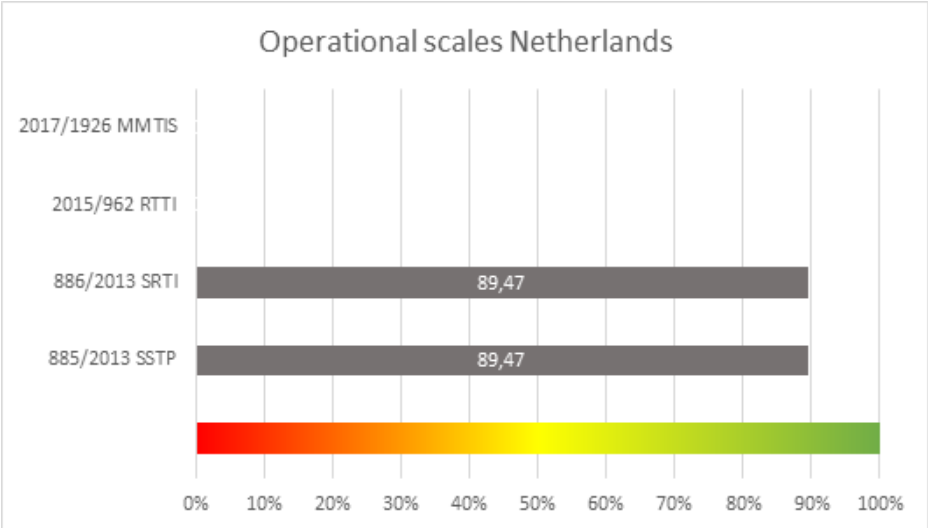


Figure 7: Operational scales for the Netherlands

3.3. Outlook and next steps for maturity level classification

In the upcoming project runtime of NAPCORE, the maturity level classification shall be carried out for all National Bodies/Competent Authorities, in order to analyse the status of implementation in the single countries, as continuous task in NAPCORE WG5.

4. National Legislation Analysis

This chapter presents the findings from the national legislation analysis. It aims to assess whether and how the assessment of compliance and specific attributes for National Bodies/Competent Authorities are detailed in national policies and legal documents. Above all, this chapter focuses on the screening of MS reports to the Commission and national legislation, where available.

4.1. Definition of key issues for legislative analysis

In the Delegated Regulations 885/2013 and 886/2013, there is an obligation of Member States to “designate a national body competent to assess” compliance, referring explicitly to the independence of the NB/CA. For other regulations (Delegated Regulation 2017/1926 and 2015/962) the Member States are directly entrusted with the task of assessment of compliance as competent authorities.

An underlying aspect that framed this analysis was understanding whether national legislation further specifies what is inherent to the compliance assessment, what is the role for the National Body/Competent Authority, how they are set up in national laws, whether it is up to the Member States to ensure it, either directly through their state authorities, or indirectly through designed bodies.

It is acknowledged that up to a certain extent, answers to the questionnaire as presented above, notably the questions on the NB/CA format or the relation NB-NAP, already touched these questions, and thus some overlap exists. Nevertheless, the screening of national legislation allows to consubstantiate and provide evidence on existing gaps and improvement areas where NAPCORE could play a role.

4.2. Screening of national legislation and MS reports

The table below highlights the result of the screening of MS reports and legislation whenever available considering the following aspects:

- Reference to the designation of NB/CA
- Reference to the responsibilities of the NB/CA
- Reference to the NB/CA capacity to “force” data provision
- Reference to penalties / sanctions

Table 5: Screening of national legislation and MS reports

	AT	BE	BG	CY	CZ	DE	DK	EE	ES	EL	ER	GR	HR	HU	IE	IT	LT	LJ	LV	MT	NL	PL	PT	RO	SF	SI	SK	NO	
Designation of NB	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
Allocation of responsibilities	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
Capacity to "force" data provision					√	√					√							√		√									

5. Best Practices

5.1. Good practices instead of best practices

So far, three countries (Belgium, Germany and Norway) have established a compliance assessment process for data sets and services covered by the ITS Directive and DRs. Therefore, it is only possible to compare three countries and different elements of their processes against each other. Due to limited number of Member States with empirical experiences with compliance assessment of self-declarations, it will be more productive and more appropriate to describe empirical examples of good practices instead of best practices for the whole process of compliance assessment and individual process elements.

In this case, a good practice is understood as a practice which has been empirically verified in practical operation of a National Body/Competent Authority and whose value for receiving, processing, or reporting self-declarations has been demonstrated.

5.2. Analysis of good practices

5.2.1. The example of Belgium

National Body and planning of compliance assessment

In Belgium, the compliance assessment is assigned to a private company, further referred to as the “control body”. According to the specifications imposed by the NAP operator, the control body must meet certain standards with regards to technical knowledge and independence.

The control body receives an annual budget for the four priority actions. Additionally, the Belgian NAP operator (the National Geographic Institute, NGI) is also granted working resources to appoint the control body and follow up on its work. The budget for the control body and for the human resources will be evaluated in the future following the growth of the datasets available via the NAP.

The control body and the NAP operator have bi-monthly meetings to discuss the progress of the assessment. Additionally, the control body keeps a live report of their progress that the NAP operator can consult at any moment.

Engagement with service and data providers

In Belgium, the control body is not mandated to engage with the service and data providers. All communication between the control body and the stakeholders is facilitated by the NAP operator by means of the “NAP Helpdesk”. The NAP Helpdesk is an email reception that can be reached through contact@transportdata.be. This was a deliberate decision because the NAP operator is aware of possible former communication with the respective stakeholder (e.g., questions received by the NAP Helpdesk) of which the control body might not be aware of. This division of tasks by the NAP operator and the control body also contributes to the independence of the latter.

It is the NAP operator that creates awareness regarding the obligations of the stakeholder mentioned in the delegated acts to the stakeholders (such as the obligation to register on the NAP and the obligation to submit a self-declaration) by means of information on the [website](#), multiple email-campaigns, workshops, newsletter(s), a LinkedIn-page etc. Each time an organisation registers a new dataset or service, there is a reminder to also update the declaration of compliance if necessary.

The control body delivers the NAP operator a yearly report with the results of the assessment. Based on these results, the NAP operator can contact the stakeholders that, for example, did not submit a



self-declaration. If no answer is given to this communication, the NAP operator communicates this to the concerned authority so that they can re-contact the stakeholder or take further measures. Up till now, no further actions are taken if a stakeholder does not submit a self-declaration. However, there is a Belgian taskforce “soft law” which is exploring the possibilities to require a correct registration on the NAP in order to receive e.g., a concession license.

Reception and processing of self-declarations

For MMTIS, organisations can submit an electronic declaration of compliance by checking a checkbox in the metadata form of the organisation on the NAP (**Fehler! Verweisquelle konnte nicht gefunden werden.**8). This procedure was chosen because it is easy for the stakeholders and requires very little effort. Furthermore, no harmonised European self- declaration template existed at the moment of implementation of this solution.



Declaration of compliance MMTIS:

I hereby declare to be compliant to articles 3 to 8 of the European regulation (EU) 2017/1926

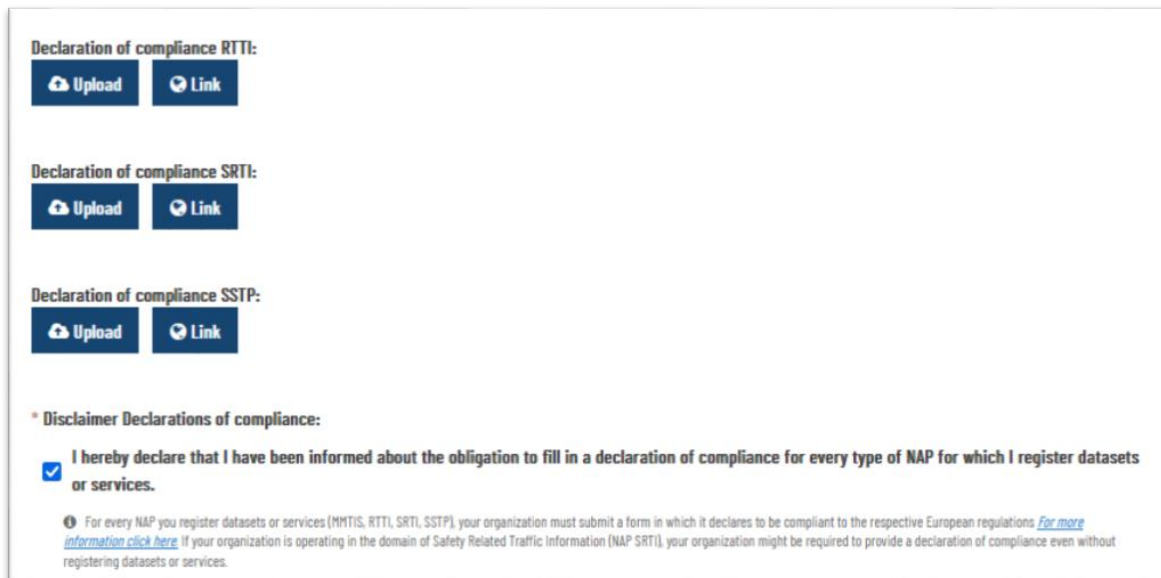
 For more information [click here](#)

I do not yet submit a declaration of compliance.

 It is possible to submit this declaration at a later moment. However, do not forget to do this as the declaration of compliance is necessary for the assessment of compliance.

Figure 8: Checkbox for the Declaration of Compliance MMTIS on the Belgian NAP

For SRTI, RTTI and SSTP, Belgium slightly modified the existing harmonised European self-declaration documents, to adapt them to the Belgian situation. Organisations can [download](#) these self-declaration templates from the NAP and afterwards upload (or link to) the filled in and signed version on the NAP at the level of their organisation (**Fehler! Verweisquelle konnte nicht gefunden werden.**).



Declaration of compliance RTTI:

Declaration of compliance SRTI:

Declaration of compliance SSTP:

*** Disclaimer Declarations of compliance:**

I hereby declare that I have been informed about the obligation to fill in a declaration of compliance for every type of NAP for which I register datasets or services.


 For every NAP you register datasets or services (MMTIS, RTTI, SRTI, SSTP), your organization must submit a form in which it declares to be compliant to the respective European regulations [For more information click here](#). If your organization is operating in the domain of Safety Related Traffic Information (NAP SRTI), your organization might be required to provide a declaration of compliance even without registering datasets or services.

Figure 9: Belgian NAP platform for uploading self-declaration documents.

The Belgian control body has access to the data concerning the declaration of compliance on the Belgian NAP. The control body checks for all stakeholders whether a declaration of compliance has been submitted, and if so whether it has been filled in completely, and whether relevant deadlines were respected. Additionally, the control body checks the correctness and truthfulness of a sample of the submitted declarations of compliance. For this, the control body can take a random (stratified)

sample of 30 declarations/year. The *stratified* random selection is based on the “organisation type” depending on the priority action in question (e.g., transport authorities, infrastructure managers, public transport operators, private transport operators).

Compliance assessment

In Belgium the control body receives a “stakeholder list” from the NAP operator. This stakeholder list is the result of a continual joint effort of the NAP operator and the local transport authorities. The Belgian NAP operator continuously updates the stakeholder list with a major update every 6 months. However, because of the rapidly changing mobility landscape, this list will probably never be 100% up to date (this is especially the case for the delegated act on MMTIS which includes all transport operators). The control body uses the stakeholder list as basis for compliance assessment.

The Belgian NAP can be considered as “yellow pages”, i.e., the portal does not contain the data itself but focuses on the metadata and links to the data (on the portal of the data owner) by means of an URL. Because of this, the compliance assessment consequently also strongly concentrates on the metadata and the conformity with the reality and the format of the data.

The control body follows following procedure for the assessment:

- 1.1 Have all stakeholders that should register data on the NAP (see stakeholder list) done so?
This procedure is automated.
- 1.2 Random check (stratified sample) of the correctness of the (meta)data of the registered datasets.
 - 2.1. Have all stakeholders submitted a declaration of compliance?
 - 2.2. Random check (stratified sample) of the correctness of the information declared in the declaration of compliance.
3. Control of correct reuse of the datasets and services registered on the NAP. This is applicable only in case of complaints with regards to the reuse to the Belgian NAP-Helpdesk. Up till now, no complaints have been filed.

The assessment procedure by the control body, the input and the processing by the NAP operator is also illustrated in Figure 10.

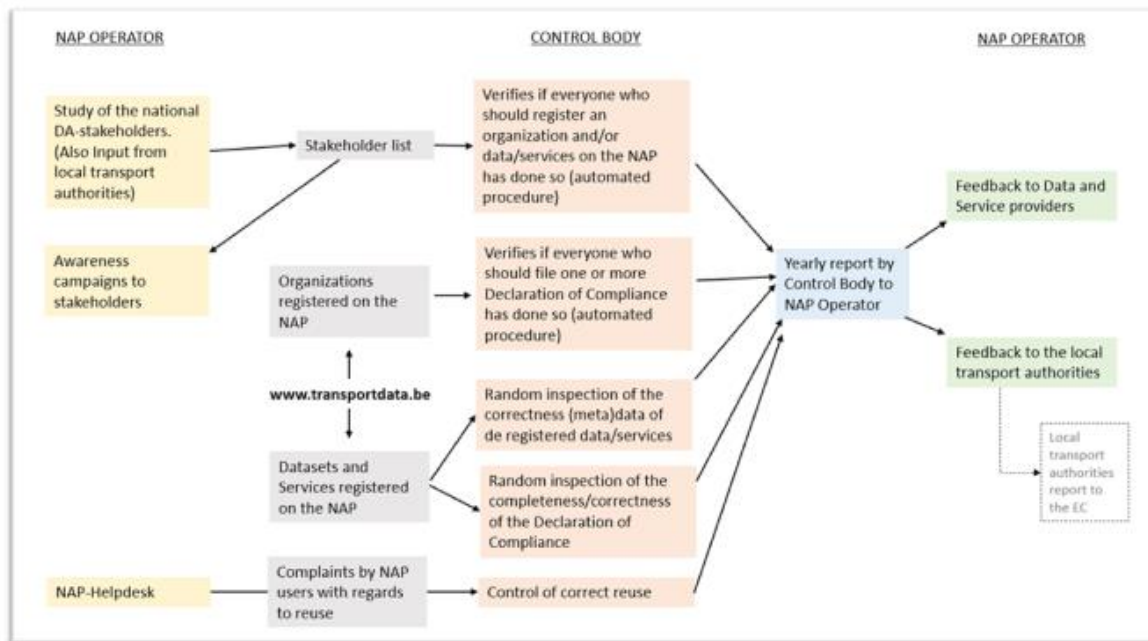


Figure 10: Scheme of the Belgian assessment procedure

Reporting and processing of compliance assessment results

Because the declarations of compliance documents are uploaded on the website (RTTI, SRTI and SSTP) or are provided by a digital check box (MMTIS), an overview of whom has submitted a declaration of compliance can easily be drawn up by the NAP operator. The control body also has direct access to this information. The information about which organisations has submitted a declaration of compliance and the declarations themselves are however not publicly viewable on the website.

The control body reports its findings yearly (in Dutch and French) to the NAP operator who communicates it to the local transport authorities.

The NAP operator also gives regular updates regarding the general (anonymised) findings of the control body to the Belgian Single NAP working group. The local transport authorities are responsible for the further communication to the European Commission.

Belgium does not currently publish statistics on the number of self-declarations submitted, self-declarations accepted, compliance assessments carried out or number of random inspections performed on the NAP.

Organisations that received a negative evaluation by the control body are personally contacted by the NAP Helpdesk with feedback on how to correct or improve the (meta)data of the registered datasets or services or the self-declaration form. In March 2022, the NAP operator also organised a brainstorm session with the local transport authorities and the public transport operators, to see how the Belgian NAP can be improved in the future based on the findings in the report of 2021 of the control body.

In 2021, the compliance assessment was implemented only for MMTIS, while in 2022 it was carried out for all 4 DRs. Organisations with a positive evaluation do not receive a special acknowledgement or other feedback. However, the yearly random selection procedure does take into account former positive evaluations.

5.2.2. The example of Germany



When the German National Body offered the “traditional” way of handing in self-declarations via filled-in and signed forms (templates based on EU EIP / TISA harmonised forms), it was realised that the turnout (the number of received forms) was very low (almost zero). One of the main reasons identified when analysing the reasons for this low participation rate was the relatively high (or perceived as being high) hurdle of formally having to sign a paper declaration. The vagueness of some of the phrases used within the self-declaration form also raised questions and concerns that added to the high rate of organisations not signing self-declarations.

As a mitigation measure in 2019, it was decided to offer a fully digitised self-declaration process, without the need for signing a physical paper form. The following elaboration only considers this digital process as a “Good Practice” described here, even though the “old” way of providing filled-in and signed paper versions of the self-declaration form is still supported by the National Body of Germany as of now.

National body and planning of compliance assessment

In the German law on ITS (“Intelligente Verkehrssysteme Gesetz - IVSG”), the national implementation legislation of the ITS Directive, the role of the National Body was assigned to the German Federal Highway Research Institute (“Bundesanstalt für Straßenwesen”). The responsible unit is the same that also manages the operation and technical development of the National Access Point in Germany. This allowed for relatively fast and seamless integration of digital National Body related process workflows into the National Access Point.

Currently, only one staff member handles tasks related to the National Body, with typically less than 10 hours per month.

Engagement with service and data providers

There is currently no stakeholder list maintained by the National Body. It was determined that efforts for market research needed to find all stakeholders on all levels and all data categories listed under the DRs would be too time consuming, expensive and would never render a complete list of the current situation. So far, no communication campaigns have been started to reach out specifically to individual stakeholders or stakeholder groups.

Currently, no sanctions are foreseen or in place for not submitting a self-declaration. Likewise, no incentives are given for submitters.

Reception and processing of self-declarations

The process of submitting a self-declaration electronically is combined with the process of creating data publications on the National Access Point. The currently implemented form for submitting the self-declaration at the MDM (Mobility Data Marketplace, the current German NAP) looks like Figure 11.

Create Publication - Confirmation

Submission of the self-declaration to the national body for Traffic and Mobility Data.

Some traffic and mobility datasets are subject to legal obligations in regards their provisioning. In those cases, a self-declaration needs to be submitted to the National Body for Traffic and Mobility Data. Please state here, if you intend to submit a self-declaration to the National Body for Traffic and Mobility Data alongside the creation of the data publication:

Yes, I confirm that

- the data publication contains data that is subject to one of the EU Delegated Regulations listed below,
- the details provided for this data publication are part of my self-declaration in accordance with the EU Delegated Regulations,
- the details provided for this data publication can be forwarded to the National Body for Traffic and Mobility Data,
- all requirements and obligations to data providers set up by the Delegated Regulations are fulfilled.

No, this is not a self-declaration to the National Body for Traffic and Mobility Data

What is the National Body for Traffic and Mobility Data?
The German National Body for Traffic and Mobility Data was established with the Intelligente Verkehrssysteme Gesetz (IVSG) in accordance with the requirements stated in the Delegated Regulations of the EU listed below.

What is the legal framework?
Next to the Intelligente Verkehrssysteme Gesetz (IVSG) there are the following Delegated Regulations of the EU in this context that are legally binding:

- [2017/1926 \(A\)](#) (multimodal travel information services)
- [2015/962 \(B\)](#) (real time traffic information services)
- [886/2013 \(C\)](#) (safety related traffic information)
- [885/2013 \(E\)](#) (information services for safe truck parking)

What data types are subject to data provisioning regulations?
The data types that need to be provided to the National Access Point are listed in the Delegated Regulations listed above. A full list of all data types is published (in German) on the website of the German [National Body for Traffic and Mobility Data](#).

Is it possible to submit the self-declaration at a later stage?
Yes, the self-declaration can be submitted at a later stage when managing your data publication details.

Is there another way to submit a self-declaration?
For some data types you are able to use a paper form template, which you can fill out, print, sign and send to the German National Body. The form templates can be found on the website of the [National Body for Traffic and Mobility Data](#).

Where can I find more information?
More information can be found on the website of the [National Body for Traffic and Mobility Data](#)

Figure 11: Form for submitting a self-declaration at Mobility Data Marketplace

A successor platform of the MDM will replace it soon as the German NAP. This new platform is called Mobilithek and it is already operational, although not all features foreseen for the new platform are already implemented. A migration process of data publications, data users and data providers is currently being planned and worked on with the goal of a complete take over by the end of 2024 at the latest.

In addition, on the Mobilithek, it is already possible to create data publications and submit self-declarations. Here, the form to create data publications also contains checkboxes for various declarations, including the one for the delegated regulations of the ITS Directive. Figure 12 is a screenshot of the “Declarations” part of the data offer creation dialogue.

Declarations

I hereby confirm that the data provided are free of personal references or third party rights.

This is a data offer according to the German Passenger Transportation Act (Personenbeförderungsgesetz) §3a.

This is a data offer according to the German Act on Intelligent Transport Systems in Road Traffic and their Interfaces to other Transport Modes (IVSG) or according to the Delegated Regulations of the ITS Directive of the EU.

I submit a self-declaration to the National Body for Traffic and Mobility Data.
I hereby declare and confirm that:

- the data publication contains data that is subject to one of the EU Delegated Regulations covered by the IVSG,
- the details provided for this data publication are part of my self-declaration in accordance with the EU Delegated Regulations,
- the details provided for this data publication can be forwarded to the National Body for Traffic and Mobility Data,
- all requirements and obligations to data providers set up by the Delegated Regulations are fulfilled.

This is a data offer in connection with the mFUND funding programme.

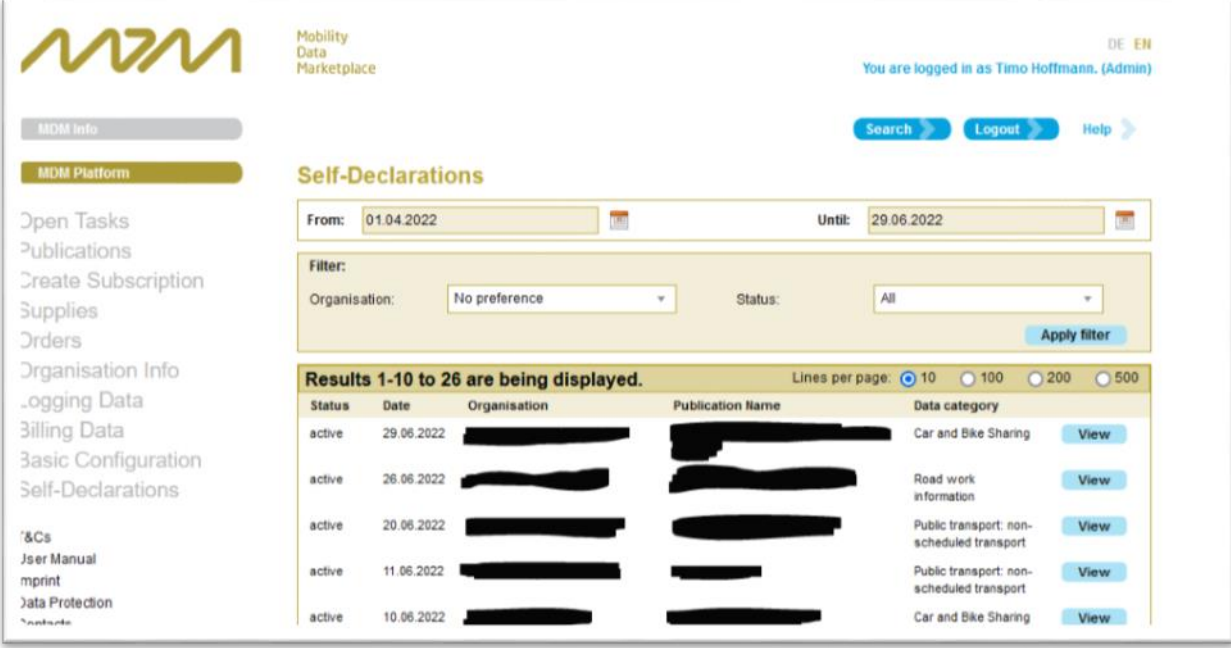
This is a data offering according to Section 12a of the German E-Government Act (E-Government-Gesetz).

This is a data offer according to the German Act governing the use of public sector data (Data Use Act – DUA).

Figure 12: Part “Declarations” of the data offer creation dialogue

By including the process in the online form for the creation of data publications on the NAP, additional information is also available for the self-declaration: name and organization of the data provider, name and description of the data publication, the data category of the data, a quality description, geographical coverage and more. By combining the processes of creating a data publication at the NAP and submitting a self-declaration, relevant data only needs to be entered once, thus making the process more efficient for the data provider.

When checking the corresponding checkbox for the submission of a self-declaration, the information is stored, including the submission date, and it will be available for the National Body to be accessed. On both the MDM and the Mobilithek, the form for accessing self-declarations is only available for users with the assigned role of National Body. For users with this clearance, a form allows for listing self-declarations and filtering this list by date of submission of the self-declaration or organisation. Figure 13 below is a screenshot of the form for viewing self-declarations for the National Body role at the MDM.



Status	Date	Organisation	Publication Name	Data category	
active	29.06.2022	[REDACTED]	[REDACTED]	Car and Bike Sharing	View
active	26.06.2022	[REDACTED]	[REDACTED]	Road work information	View
active	20.06.2022	[REDACTED]	[REDACTED]	Public transport: non-scheduled transport	View
active	11.06.2022	[REDACTED]	[REDACTED]	Public transport: non-scheduled transport	View
active	10.06.2022	[REDACTED]	[REDACTED]	Car and Bike Sharing	View

Figure 13: List of self-declarations at the Mobility Data Marketplace

For the Mobilithek, further features for compliance assessment will be implemented, making use of the fact, that the self-declarations are stored at (a secured section of) the National Access Point where not only the metadata of the data publications can be accessed, but also, for some of the data publications at least, the content data is accessible for analysis. It is foreseen that some automated procedures will be implemented to allow for indicative flagging of data publications that e.g., do not provide data in intervals stated in the metadata, or where schema validation shows errors.

For both MDM and Mobilithek, the possibility to access all the metadata provided by the data provider makes it possible for the National Body to review it manually.

Compliance assessment and processing of compliance assessment results

Currently, no process for compliance assessment has been established based on the digitally submitted self-declarations. The implementation of a compliance assessment process is planned for 2023, making use of the recommendations of NAPCORE's WG5 and by then implemented additional features of the Mobilithek for automatic and manual compliance assessment features of the NAP, once this role has been shifted from the MDM to the Mobilithek.

5.2.3. The example of Norway

In Norway, the Ministry of Transport has identified the service and data providers for which the Norwegian Road Supervisory Authority (NRSA) performs the compliance assessments for Delegated Acts 886/2013 (SRTI) and 2015/962 (RTTI). For 886/2013, the Norwegian Public Roads Administration (NPR) is the data provider, and the Norwegian Broadcasting Corporation (NRK) is the service provider. For 2015/962 (RTTI), the NPR is both the service and data provider.

A notice is sent from NRSA to the NPR and NRK 3-4 weeks ahead of the deadline set for providing a self-declaration and accompanying documents. NPR and NRK fill in the compliance assessment and give a description of the service they provide. NRSA writes a report with assessment evaluations based on the self-declaration forms and a report from the NPR. Every other year, NRSA also performs

random checks. So far, the random checks have been in accordance with the information given in the self-declaration assessment.

In Norway, NRSA is the National Body responsible for two Delegated Acts, 886/2013 (SRTI) and 2015/962 (RTTI). NRSA is a public independent body appointed by the Norwegian Ministry of Transport (<https://transportportal.atlas.vegvesen.no/en/gen/roles/>). In total, 15 people work at NRSA, and approximately 0.5 person-year is dedicated to working with Delegated Acts 886/2013 and 2015/962.

The stakeholders covered by the DRs are identified by the Norwegian Ministry of Transport (for now only two stakeholders have been identified). The two stakeholders are contacted by sending a letter to the official address of each provider. This document is followed up by a telephone call to make sure the right department and person have been identified. Lack of submission of a self-declaration is first followed up by letter and if that doesn't work, a telephone call is made to the contact person. There is no punishment for refusing to give an answer, but the Norwegian Ministry of Transport can instruct the NPRA to answer. Lack of communication or poor cooperation from the NPRA would in such cases probably be addressed in high level meetings between NRSA, the Norwegian Ministry of Transport and the NPRA.

At the moment, self-declarations are received by NRSA in electronic format as pdf documents and processed manually. The templates provided by EU EIP have been used for both the self-declarations and accompanying documents. After a self-declaration has been received, the document is read, and the information provided is crosschecked with other open sources such as the NAP (www.transportportal.no). Depending on available personnel, random checks are performed every other year by establishing a shadow user in the NAP to test registration and extraction of data. The results are reported in a written compliance assessment report. The results of a compliance assessment are valid until the next compliance assessment.

Service and data providers receive feedback through the written reports. After the compliance assessment report has been written, it will be sent to the Norwegian Ministry of Transport with a copy to the provider. The report is also published on the NRSA website. In 2016 one deviation was found, and NPRA was given a deadline to become compliant. NRSA followed up the agreed actions according to the deadline.

In the current situation, there are no penalties for non-compliance. If the provider is compliant, overall feedback is provided through the written report. If the provider is non-compliant, more detailed feedback regarding the deviation will be given. In the compliance assessment report, NRSA also comments on room for improvement.

The report stating the non-compliance is public and is published at NRSA's website. In such a case, the Norwegian Ministry of Transport would instruct the NPRA to make a plan (and follow through with it) to become compliant. (They would base their instruction on the NRSA assessment report). As other stakeholders in the future might not answer to the Norwegian Ministry of Transport, it is still unclear how this should be handled.

Random checks are performed based on the NRSA competence and available resources. So far, Random checks have been performed for the Delegated Regulation 886/2013.

At the moment, there is no register of data or service providers which have submitted a self-declaration. However, reports of compliance assessments carried out are published on the NRSA website along with a register of open deviation(s).

Received self-declarations are reported by NRSA to the Norwegian Ministry of Transport which gives an overall report on the national level. Reporting on the European level is carried out by the Ministry



of Transport which writes a letter to DG MOVE including a brief presentation of the report from NRSA with an enclosed progress report from NPRA.

So far, three main challenges with receiving and processing self-declarations have been identified. Firstly, the DRs are not commonly known by all the providers. The first time the NRSA contacted NRK it took some time to establish contact with the right department to explain why their compliance with the regulations was being assessed. Secondly, the self-declaration templates for 886/2013 and 2015/962 include assessments which are partially the same. Since NPRA provides the data for both, they were requested to do the self-assessment for both the regulations at the same time of year, even though the deadline is different for the two regulations. Thirdly, it is an open question how to get private actors to enter their datasets into the National Access Point.

5.3. Discussion on good practices

There seems to be no single and universally applicable method to identify relevant stakeholders in all Member States and all DRs. The process of creating a stakeholder list may be very time consuming, and on top of that, it will be a challenge to maintain. In other words, the NB/CA needs to find a method or a combination of methods suitable for the local context. These may include e.g., approaching stakeholders already known or other public authorities, utilisation of the contacts of the NAP operator or cross-checking with the list of stakeholders which have already provided data or services to the NAP.

Instead of spending a lot of time trying to first build a complete list of stakeholders, it is recommended that the NB/CA starts the compliance assessments with a smaller group of stakeholders first and then includes more stakeholders later. Self-declarations can be processed automatically or manually, depending on local requirements. Integrating the receipt of self-declarations with the functionality of NAP is an opportunity to reduce the workload of data and service providers as well as the NB/CA: First, the NAP typically authenticates the (meta)data and service providers and collects their contact details. Second, submitting a self-declaration may be carried out when the data or service provider submits other metadata related to the data set or service, in a way similar to the German NAP (by simply marking a check box or two depending on the content of the data set).

6. Recommendations for harmonised compliance assessment

This chapter provides a set of recommendations for developing a European-wide compliance assessment framework. These recommendations are partially related to the practices that are already in place and have been described in the previous chapters. In addition to this information, the recommendations have been drafted taking into account the strong and weak points of the existing practices.

The main aspects of this framework are described below. A compliance assessment framework should prioritise transparency and openness in the sense that all procedures and information should be accessible to relevant stakeholders. Additionally, such framework should encourage efficiency, a highly important quality in the current constantly changing mobility landscape. Lastly, independent entities with a high expertise should be responsible for carrying out the assessment.

The guidelines regarding the characteristics of the National Body/Competent Authority are described in section 6.1., the guidelines related to the compliance assessment process are described in section 6.2. Section 6.3. is dedicated on the engagement actions between the service providers, the NAP and NB.

6.1. National Body/Competent Authority

From the previous analysis it became evident that most of the National Bodies/Competent Authorities are under the responsibility of public bodies/national authorities or organisations with a close link to the ministries. This practice is established mainly due to the very limited dedicated budget foreseen for carrying out the task of compliance assessment, maintaining a close link to ministries appears to be important for the future as well. Essentially, it is not envisaged that the majority of countries would be able or willing to contract a private company for carrying out this task. Even though this could be considered as a suitable recommendation, based on the practices of Belgium and Norway.

Through the analysis reported in the previous chapter, it was also examined that many countries have been busy in creating the national foundation for putting a National Body/Competent Authority legally in place.

Given the fact that the budget for this task is very limited in the countries, any recommendations put forth by NAPCORE should bear this restriction in mind. It is important to focus on the minimum requirements for harmonised compliance assessment, in order to achieve the best possible level of harmonisation with least budget impact.

Additionally, the National Body shall closely collaborate with the NAP operator. This collaboration aims to assist the National Body in getting in touch with the local authorities, service and data providers, etc. However, as described in chapter 6.3. the National Body is expected to establish a connection and in turn, a collaboration with the service providers instead of being fully relied upon the NAP operator.

The tasks a National Body must fulfil can be derived based on the maturity levels classification and can thereby assist as guideline towards a fully operational National Body/Competent Authority.

6.2. Compliance assessment framework

The analysis has shown that some National Bodies/Competent Authorities started to become operational. This was evident as there was a collection of self-declaration forms, and/or some thinking about future concepts for compliance assessment. However, besides the practice of Norway, no



operational compliance assessment has been carried out yet. Therefore, the recommendations, related to compliance assessment are based on the results of the common work and discussions that have been carried out in NAPCORE WG5 in the year 2022.

Several important issues have been identified. First and foremost, the compliance assessment needs both a process description and a list of supporting documents, like compliance assessment forms, templates for self-declarations for all DRs, templates for reporting as well as recommendations for the content of accompanying documents. Additionally, the recommendations from NAPCORE shall cover the minimum requirements, in order to achieve a minimum level of harmonisation. Further additional achievements can be envisaged by all countries, but it should not be a requirement for all countries to achieve a higher level of fulfilment of obligations.

The first process proposal for the tasks of National Bodies/Competent, worked out in WG5, was described in the course of the reporting process (Chapter 2.2.6), including the following elements:

- **Preparation phase** – management of self-declaration forms templates which will be used for the reporting period, management of the list of respondents to whom the self-declaration forms will be distributed to, etc.
- **Distribution and collection phase** – informing the respondents about their duties for submitting self-declarations, receiving the information (filled-in self-declaration forms with accompanying documents, data sets and/or metadata), registration of documents received from respondents, formal check for correctness of documents received and archiving, etc.
- **Analysis of compliance assessment and random inspection phase** – reviewing completed and checked documents for compliance assessment, creating a list of respondents for random inspection, carrying out the random inspection, etc.
- **Analysis and reporting to MS/NA**– analysis of the results of compliance assessment and random inspection, analysis of other sources of information, producing the analytical tables, preparation of the compliance assessment report (according to the proposed template) and submitting to the Ministry
- **Evaluation and reporting to EC** – evaluation of the compliance assessment report received from National Body(s), evaluation of progress made in implementing the requirements of the relevant delegated act, preparation of the final report (according to the proposed template) for submission to the European Commission.

These phases are expected to form a suitable basis for the further elaboration of a proposal for harmonised compliance assessment processes (documented in M5.3) as well as for the development of the maturity level classification. Additionally, specific focus needs to be given to the role of the NAP operator and the National Body/Competent Authority as well as their cooperation.

During the work of the previous year and the analysis of the questionnaires, it became apparent, that for better capturing and analysing the experience of the countries with the proposed guidelines, it would be necessary to start with pilot trials of “friendly” compliance assessment framework. This will be a topic for the NAPCORE WG5 in 2023. Following the pilot trials, the processes, forms, and recommendations will be further elaborated and revised, with the objective to become easily available for use.

6.3. Engagement with service and data providers

The NAP platform offers a path for service providers to communicate with the Member State's government/authorities. To avoid communication problems during the compliance assessment process, there should be a direct exchange between the national body/competent authority and the service provider. Talks conducted through third parties are usually not successful and this might be the case where the National Body/Competent Authority communicates with the NAP operator and later with the service providers.

Of special importance is the role of the National Body/Competent Authority which is also related to its obligation, getting in contact with the data/service providers, in relation to the provision of self-declaration forms. Being contacted by the NB/CA can lead to raising the awareness of data/service providers for the necessity to use the NAP to distribute their data, eventually, even if they are not bound to the obligations of the DR.

In any case, the NB/CA should have direct link to the data/service providers, to be able to carry out suitable compliance assessment processes and random inspections, as currently stipulated in M5.3.

Annex I: Questionnaires

Questionnaire for National Bodies

Please complete one Questionnaire per each Delegate Regulation.

According to the ITS Directive (2010/40/EU) the following shall constitute priority areas for the development and use of specifications and standards:

- I) Optimal use of road, traffic and travel data,
- II) Continuity of traffic and freight management ITS services,
- III) ITS road safety and security applications,
- IV) Linking the vehicle with the transport infrastructure.

Within the priority areas the following shall constitute priority actions for the development and use of specifications and standards:

- a) **the provision of EU-wide multimodal travel information services;**
- b) **the provision of EU-wide real-time traffic information services;**
- c) **data and procedures for the provision, where possible, of road safety related minimum universal traffic information free of charge to users;**
- d) the harmonised provision for an interoperable EU-wide eCall;
- e) **the provision of information services for safe and secure parking places for trucks and commercial vehicles;**
- f) the provision of reservation services for safe and secure parking places for trucks and commercial vehicles.

The Delegate Regulations related to the priority actions a), b), c), e) defined that the Member States shall designate an impartial and independent national body competent to assess whether the requirements set out in it are fulfilled by public and private stakeholders. Two or more Member States may designate a common body competent to assess compliance with these requirements on their territories.

Topic	Questions	Answers
1. Contact Information	<ul style="list-style-type: none"> a) Who is the National Body in your country (Organisation Name, email address of national body or organisation, contact person name, contact person email)? b) Do you have more than one National Body? If yes, how many? c) Are you having a website for your National Body/Bodies? If yes, please state the URL 	<ul style="list-style-type: none"> a) b) c)

<p>2. Correlation to NAP</p>	<p>a) How is the National Body correlated to the NAP(s) in your country?</p> <p>b) Specify how the NB is in contact with the NAP and/or are they working together. Could you describe how: procedures, common organization, tasks, how it's applied in your country?</p> <p>c) Are there any “interfaces” between the NB and the NAP? It should be technical, people working together, etc.. Which are those interfaces?</p>	<p>a)</p> <p>b)</p> <p>c)</p>
<p>3. Format of National Body</p>	<p>a) How is your National Body implemented? Is it a separate organisation? Is it connected to a specific organization? How many resources do you have for the NB work?</p> <p>b) What is the legal situation concerning the National Body? Is there a national law, constituting the NB?</p> <p>c) Are there national requirements/tasks related to the NB going beyond the Delegated Regulations? Which? How this requirements/tasks are fulfilled?</p> <p>d) What are the main tasks of your National Body? Please describe it or attach a full description to the questionnaire.</p>	<p>a)</p> <p>b)</p> <p>c)</p> <p>d)</p>
<p>4. Self-Declarations</p>	<p>a) Are you having self-declaration forms? If yes, please describe related to the Delegated Regulation you are answering.</p> <p>b) Do you have a template for the self-declarations? If yes, please attach it to the questionnaire.</p> <p>c) How many self-declarations have you gathered?</p> <p>d) From how many organisations and which type of organisations you have received the self-declarations?</p> <p>e) Which actions did you take to receive the self-declarations?</p>	<p>a)</p> <p>b)</p> <p>c)</p> <p>d)</p> <p>e)</p> <p>f)</p>

	f) Did you receive supporting documents with the self-declaration? If yes, what did they contain? How did they look like?	
5. Compliance Assessment	<p>a) Do you already have a process for Compliance Assessment? If yes, please describe.</p> <p>b) The procedures for compliance are verified? How this is carried out and by whom, please describe.</p> <p>c) Do you have any supporting documents for the Assessment?</p> <p>d) Did you define quality and evaluation criteria for the Assessment? How?</p> <p>e) Did you do random inspections? What are your Experiences?</p> <p>f) What happens if an organisation is not compliant with the Delegated Regulations?</p>	<p>a)</p> <p>b)</p> <p>c)</p> <p>d)</p> <p>e)</p> <p>f)</p>
6. Reporting	<p>a) How do you report on your activities (self-declarations and results of random inspections)?</p> <p>b) What language(s) do you use for the self-declarations and reports?</p> <p>c) How do you handle the self-declarations received?</p> <p>d) To whom is the reporting disseminated? How frequently? When?</p>	<p>a)</p> <p>b)</p> <p>c)</p> <p>d)</p>
7. Pressing issues	<p>a) What are your main pressing issues?</p> <p>b) What obstacles are you facing in your National Body activities?</p>	<p>a)</p> <p>b)</p>
8. Additional questions/remarks	<p>a) Did any additional questions come to your mind, while filling-in this questionnaire? Which?</p> <p>b) Do you have any other remarks? Which?</p>	<p>a)</p> <p>b)</p>

Questionnaire was filled-in by: **Name, Organisation, date**



Best Practices and recommendations for harmonised compliance assessment identified



Please fill-in the questionnaire in english and return it to Enrico Ferrante by 15th of March 2022.

Contact details

mail: enrico.ferrante@autovie.it

tel. +39 348 8715036



18. At least one random inspection and compliance assessment was carried out.								
19. Reports to MS or NA were submitted.								
Sum	0	0	0	0	0	0	0	0
Percentage	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00

Maturity level guide

Responsibilities

Why this question?

Preparation:

1. A NB/CA is legally established.	Has the role of a NB/CA been established by law?
2. A NB/CA is active or an instance is nominated as the NB/CA organization.	After establishing a NB/CA in law a company, organization or authority has to take this role.
3. An organisational structure is created at the NB/CA.	Are there established internal structures? Have the tasks and roles of the NB been assigned to real persons, and do you have a working space and so on?
4. A repository for storing documents in a GDPR conform way is available at the NB/CA.	Do you have an electronic filing/archive/journalising system that lives up to the GDPR demands?
5. Public information about the NB/CA and NBs/CAs functionalities is provided.	Has it been publicly announced through appropriate means who the NB/CA is and what the NBs/CAs responsibilities and functionalities are?

Materials:

6. (Harmonised) self-declaration (SD) forms are used.	Do you have a self-declaration form and is it used? This could be the one made in EU EIP work, or one you have made yourself. (no harmonised self-declaration forms exist yet, since they will be harmonised in NAPCORE)
7. (Harmonised) forms for compliance assessment are used.	Do you have a form for Compliance Assessment and is it used? (no harmonised Compliance Assessment Forms exist yet, since they will be harmonized in NAPCORE)
8. (Harmonised) report structure to MS or NA is used.	Do you have a report structure? (no harmonised report structure exists yet, since it will be harmonised in NAPCORE)
9. List of respondents exist s.	Is a list of the DR relevant data publishers existing? (see Responsibility 15)

Process description:

10. Process has been established for request/sending out self-declaration (SD) forms.	Do you have a written down procedure for how and when SD-forms are being send out or requested?
11. Process has been established for receiving SD forms.	Do you have a written down procedure for how to receive SD-forms? This could be an official and non-personal email that the SD-forms must be send to. And someone has been assigned to handle the incoming emails. Also, a letter or a direct call count.
12. Process has been established for (harmonised) review/validation of SD forms.	Do you have a written down procedure for how to review and/or validate the received SD-forms? (no harmonised process exists yet, since it will be harmonised in NAPCORE)
13. (Harmonised) random inspection and compliance assessment process has been	Do you have a written down procedure for how to do random inspection and compliance assessment? (no harmonised process exists yet, since it will be harmonised in NAPCORE)

established (including selection, validation, information and improvement process).

14. Reporting process has been established.

Do you have a written down procedure for how (and to whom) to report the results of the random inspections and information about the number of received self-declarations?

Actions:

15. Delegated regulation relevant data publishers (on NAP) have been requested to self-declare.

Data publishers that have published Delegated Regulation (DR) related data on the National Access Point (NAP) have been contacted and requested to self-declare. Typically, this is done by sending an email to the respondent list (see Responsibility 9), referring to the relevant DR and where they can find a SD-form that they can use.

16. At least one filled SD form was received.

... can you count to one? :)

17. At least one filled SD form was reviewed.

Was at least one self-declaration reviewed shortly after receiving?

18. At least one random inspection and compliance assessment was carried out.

Have you carried out at least one Compliance Assessment AND Random inspection?

19. Reports to MS or NA were submitted.

Have you sent a report to the MS or NA?

Annex III: Maturity level classification examples

Maturity level Austria	Points							
	Operational scale: Each fulfilled responsibility = 1 point				Harmonised scale: Each Harmonised Material/Process = 1 point			
Responsibilities	Operational	Harmonised	Operational	Harmonised	Operational	Harmonised	Operational	Harmonised
Preparation:	885/2013 SSTP		886/2013 SRTI		2015/962 RTTI		2017/1926 MMTIS	
1. A NB/CA is legally established.	1		1		1		1	
2. A NB/CA is active or an instance is nominated as the NB/CA organization.	1		1		1			
3. An organisational structure is created at the NB/CA.	1		1		1			
4. A repository for storing documents in a GDPR conform way is available at the NB/CA.	1		1		1		1	
5. Public information about the NB/CA and NBs/CAs functionalities is provided.	1		1		1		1	
Materials:								
6. (Harmonised) self-declaration (SD) forms are used.	1		1		1		1	
7. (Harmonised) forms for compliance assessment are used.								
8. (Harmonised) report structure to MS or NA is used.	1		1		1		1	
9. List of respondents exists.	1		1		1			
Process description:								
10. Process has been established for request/sending out self-declaration (SD) forms.	1		1		1			
11. Process has been established for receiving SD forms.	1		1		1			
12. Process has been established for (harmonised) review/validation of SD forms.	1		1		1			
13. (Harmonised) random inspection and compliance assessment process has been established (including selection, validation, information and improvement process).								
14. Reporting process has been established.	1		1		1			
Actions:								
15. Delegated regulation relevant data publishers (on NAP) have been requested to self-declare.	1		1		1			

16. At least one filled SD form was received.	1		1		1			
17. At least one filled SD form was reviewed.	1		1		1			
18. At least one random inspection and compliance assessment was carried out.								
19. Reports to MS or NA were submitted.	1		1		1			
Sum	16	0	16	0	16	0	5	0
Percentage	84,21	0,00	84,21	0,00	84,21	0,00	26,32	0,00

Maturity level Denmark	Points							
	Operational scale: Each fulfilled responsibility = 1 point Harmonised scale: Each Harmonised Material/Process = 1 point							
Responsibilities	Operational	Harmonised	Operational	Harmonised	Operational	Harmonised	Operational	Harmonised
Preparation:	885/2013 SSTP		886/2013 SRTI		2015/962 RTTI		2017/1926 MMTIS	
1. A NB/CA is legally established.								
2. A NB/CA is active or an instance is nominated as the NB/CA organization.			1		1			
3. An organisational structure is created at the NB/CA.								
4. A repository for storing documents in a GDPR conform way is available at the NB/CA.			1		1			
5. Public information about the NB/CA and NBs/CAs functionalities is provided.								
Materials:								
6. (Harmonised) self-declaration (SD) forms are used.			1		1			
7. (Harmonised) forms for compliance assessment are used.								
8. (Harmonised) report structure to MS or NA is used.								
9. List of respondents exists.			1		1			
Process description:								
10. Process has been established for request/sending out self-declaration (SD) forms.								
11. Process has been established for receiving SD forms.			1		1			
12. Process has been established for (harmonised) review/validation of SD forms.								

13. (Harmonised) random inspection and compliance assessment process has been established (including selection, validation, information and improvement process).								
14. Reporting process has been established.								
Actions:								
15. Delegated regulation relevant data publishers (on NAP) have been requested to self-declare.			1		1			
16. At least one filled SD form was received.			1		1			
17. At least one filled SD form was reviewed.			1		1			
18. At least one random inspection and compliance assessment was carried out.								
19. Reports to MS or NA were submitted.			1		1			
Sum	0	0	9	0	9	0	0	0
Percentage	0,00	0,00	47,37	0,00	47,37	0,00	0,00	0,00

Maturity level Finland	Points							
	Operational scale: Each fulfilled responsibility = 1 point Harmonised scale: Each Harmonised Material/Process = 1 point							
Responsibilities	Operational	Harmonised	Operational	Harmonised	Operational	Harmonised	Operational	Harmonised
Preparation:	885/2013 SSTP		886/2013 SRTI		2015/962 RTTI		2017/1926 MMTIS	
1. A NB/CA is legally established.	1		1		1		1	
2. A NB/CA is active or an instance is nominated as the NB/CA organization.	no		1		1		1	
3. An organisational structure is created at the NB/CA.	no		no		no		no	
4. A repository for storing documents in a GDPR conform way is available at the NB/CA.	1		1		1		1	
5. Public information about the NB/CA and NB/CAs functionalities is provided.	1		1		1		1	
Materials:								
6. (Harmonised) self-declaration (SD) forms are used.	no		1		1		no	
7. (Harmonised) forms for compliance assessment are used.	no		no		no		no	
8. (Harmonised) report structure to MS or NA is used.	no		1		1		no	

9. List of respondents exists.	no		kind of		kind of		no	
Process description:								
10. Process has been established for request/sending out self-declaration (SD) forms.	no		kind of		kind of		no	
11. Process has been established for receiving SD forms.	no		1		1		kind of	
12. Process has been established for (harmonised) review/validation of SD forms.	no		no		no		no	
13. (Harmonised) random inspection and compliance assessment process has been established (including selection, validation, information and improvement process).	no		no		no		no	
14. Reporting process has been established.	no		kind of		kind of		kind of	
Actions:								
15. Delegated regulation relevant data publishers (on NAP) have been requested to self-declare.	no		1		no		no	
16. At least one filled SD form was received.	no		1		1		no	
17. At least one filled SD form was reviewed.	no		1		1		no	
18. At least one random inspection and compliance assessment was carried out.	no		no		no		no	
19. Reports to MS or NA were submitted.	no		1		1		1	
Sum	3	0	11	0	10	0	5	0
Percentage	15,79	0,00	57,89	0,00	52,63	0,00	26,32	0,00

Maturity level Netherlands	Points							
	Operational scale: Each fulfilled responsibility = 1 point				Harmonised scale: Each Harmonised Material/Process = 1 point			
Responsibilities	Operational	Harmonised	Operational	Harmonised	Operational	Harmonised	Operational	Harmonised
Preparation:	885/2013 SSTP		886/2013 SRTI		2015/962 RTTI		2017/1926 MMTIS	
1. A NB/CA is legally established.	1		1					
2. A NB/CA is active or an instance is nominated as the NB/CA organization.	1		1					
3. An organisational structure is created at the NB/CA.	1		1					
4. A repository for storing documents in a GDPR conform way is available at the NB/CA.	1		1					

5. Public information about the NB/CA and NBs/CAs functionalities is provided.	1		1					
Materials:								
6. (Harmonised) self-declaration (SD) forms are used.	1		1					
7. (Harmonised) forms for compliance assessment are used.								
8. (Harmonised) report structure to MS or NA is used.	1		1					
9. List of respondents exists.	1		1					
Process description:								
10. Process has been established for request/sending out self-declaration (SD) forms.	1		1					
11. Process has been established for receiving SD forms.	1		1					
12. Process has been established for (harmonised) review/validation of SD forms.	1		1					
13. (Harmonised) random inspection and compliance assessment process has been established (including selection, validation, information and improvement process).	1		1					
14. Reporting process has been established.	1		1					
Actions:								
15. Delegated regulation relevant data publishers (on NAP) have been requested to self-declare.	1		1					
16. At least one filled SD form was received.	1		1					
17. At least one filled SD form was reviewed.	1		1					
18. At least one random inspection and compliance assessment was carried out.								
19. Reports to MS or NA were submitted.	1		1					
Sum	17	0	17	0	0	0	0	0
Percentage	89,47	0,00	89,47	0,00	0,00	0,00	0,00	0,00