



Recommendations for Multimodal Digital Mobility Services (MDMS) legislation

Non-paper by the Netherlands

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Introduction

In our increasingly connected world, seamless and multimodal door-to-door travel is crucial not only to improve the mobility of citizens, but also to contribute to wider policy goals such as sustainability, accessibility, inclusivity and efficiency. In that regard, the European Commission (EC) has announced to bring forward a proposal for regulation on multimodal digital mobility services (MDMS) in September 2023. The EC's aim is to support and facilitate the integration of different modes of transport to achieve seamless multimodal passenger transport.

In anticipation of this proposal, the following non-paper presents several recommendations. The recommendations are based on conclusions from in-practice experience in the field of Mobility as a Service (our national MaaS program¹), and elaborate on existing Dutch policy². Since this non-paper is drafted pending the EC's proposal on MDMS, it does not present the formal Dutch position on MDMS regulation.

Hurdles for scaling MDMS

In 2022, the Netherlands concluded a 5 year 'MaaS program', a public-private initiative including several national pilots to scale-up and gain experience in MaaS and multimodal mobility. Despite practical difficulties due to COVID-19, the MaaS program was well received, and clearly showed the added value of MaaS. Several providers were able to develop a fully integrated mobility application offering the option to plan, book and pay for a multimodal trip. The outcomes showed an increase in more sustainable travel choices, amongst others shown through increased use of public transport and shared mobility, and a decrease in the use of privately-owned cars.

Despite the program's success, the steps from pilots to successful scaled implementation and fully integrated services prove to be difficult. Evaluation of the MaaS program has identified several hurdles that hinder scaling up³:

- Lack of a level playing field that promotes competition and innovation, in order for MDMS players to make a viable business case;
- Lack of (full) integration between public transport operators and shared mobility providers, and MDMS providers;
- Lack of a supervisory authority to handle market disputes to enforce fair cooperation.

To tackle these hurdles, the Netherlands believes public entities should take responsibility and develop an EU-wide legal framework, creating conditions that stimulate MDMS and allow for its scale-up, to make full use of its potential.

Recommendations for MDMS legislation

Based on in-practice experience from the MaaS program, we present the following recommendations to stimulate MDMS:

¹ [Mobility as a Service \(MaaS\): multimodaal reisadvies op maat | Mobiliteit nu en in de toekomst | Rijksoverheid.nl](#)

² [Mobiliteitsvisie 2050 Hoofdlijnennotitie | Rapport | Rijksoverheid.nl](#)

³ [Evaluatie Programma MaaS | Rapport | Rijksoverheid.nl](#)



- **Set conditions to create a level playing field.** Integration of travel options in independent platforms should be supported, allowing users to make an informed decision. This also includes how options are displayed. In that regard, setting FRAND (fair, reasonable and non-discriminatory) conditions is very relevant. This means that transport operators should be willing to sell their services through third parties. At the same time, interested parties should share certain data with transport operators, as to optimize services. An example of setting FRAND conditions in the Netherlands are the so-called 'MaaS worthy concessions'⁴: an agreement between public transport operators and authorities on requirements for fair (re)selling of tickets by third parties. These concessions also include rules on the exchange of mobility data and liability related to complaints and restitution. Given the rapid developments in the field of MaaS, these conditions are flexible in the sense that they can be updated periodically. The conditions for the reselling of tickets in 'MaaS worthy concessions' are transparent, non-discriminatory and competitive. Moreover, the concessions describe requirements for public transport operators to share mobility data with public authorities for policy purposes. Additionally, a mechanism for dispute resolution can greatly benefit the development of MDMS.
- **Promote public-private cooperation to be able to integrate societal goals with MDMS.** The MaaS program has shown the added value of public-private cooperation. MDMS may contribute to sustainability and other policy goals as it has a large impact on the way people travel and make use of the public space. An example of a successful public-private cooperation is the CDS-M framework (City Data Specification for Mobility)⁵. CDS-M is an open source framework that facilitates data exchange between MDMS or transport operators and municipalities for policy objectives. We would appreciate it if the EC could refer to such initiatives in the MDMS initiative. In our view, it would underline the importance of data sharing to learn from one another and to allow for evidence-based policy.
- **Standardization to enhance cooperation between transport operator and MDMS.** A lack of standardization hinders further adoption and integration of MDMS. Hence, agreement on the use of certain standards and interoperability is important and much welcomed. The Netherlands supports the use of TOMP-API⁶, which standardizes the data exchange between transport operator and MaaS provider for a fully integrated service, including booking and payment. We would welcome the inclusion of the TOMP-API as a reference standard for MDMS stakeholders who have yet to decide on a standard. Furthermore, we believe that focusing on the interoperability of existing standards is more beneficial than developing new standards. Additionally, standardization of contracts should be promoted. For example, Open Wheels⁷ has developed a model contract between transport operators and MaaS providers to promote trust and transparency within the ecosystem and to speed up negotiations between parties.

Policy recommendation

We believe an EU-wide policy framework that stimulates a level playing field that promotes competition and innovation, can boost MDMS. This in turn can improve the mobility of citizens, and contribute to sustainability, accessibility, inclusivity and efficient travel. The added value of an EU-based approach lies in standardization: it becomes easier for MDMS providers to operate and provide cross-border transport when all MDMS players meet the same standards, regardless of the member state(s) they operate in. Moreover, local services and local solutions do not necessarily equal EU-wide mobility. We therefore believe in the added value of an approach that enables

⁴ [Kamerbrief eindrapportage NOVB | Kamerstuk | Rijksoverheid.nl](#)

⁵ [cds-m-com](#)

⁶ [GitHub - TOMP-WG/TOMP-API: Transport Operator to Mobility-as-a-Service Provider-API development for Mobility as a Service](#)

⁷ [Modelcontract '1.0 OpenWheels Model Partner Agreement' | Richtlijn | Nationaal toegangspunt mobiliteitsdata](#)



cross-city and cross-border planning, booking and ticketing, and promotes new innovative mobility services.

Furthermore, we are convinced that an EU-wide policy framework will only have its desired effect if it applies to all relevant market parties. On top of that, we believe safeguarding and ensuring passenger rights is equally important to make sure such an EU-wide policy framework succeeds. We would like the Commission to take into account what legal frameworks apply regarding passenger rights and multimodal tickets, or to alternatively include outlines for passenger rights regarding multimodal tickets in the upcoming proposal. Such outlines should describe passenger rights as well as responsibilities and duties of market parties, amongst others in case of delays, transfers or bankruptcy.