



Contribute
to the development
of sustainable mobility

This is a translation of the "Projet stratégique 2024-2029".

Only the French version is authentic.



**Thierry Guimbaud**President of ART

# **Editorial**

ART strives in the coming years to support the development of sustainable mobility by using its transport economic regulator's competences.

Nine months after my appointment as President of the French Transport Regulatory Authority (ART), it is with great pleasure and commitment that I present here ART's strategic plan for the next six years.

ART now finds itself at a pivotal point: after a rapid and very substantial expansion of its competences, followed by a necessary adjustment period, the time has come to open a new page, to start a new regulation stage. This new phase, which I would like to see as an opportunity to deepen our action, our relations with the ecosystem and our links with the regions, is taking place against a backdrop of issues that affect the daily lives not only of transport users, but more broadly of all our fellow citizens: price regulation to preserve purchasing power and competitiveness of the economy, ecological transition and transport accessibility.

We are operating in an economic environment that had to overcome recent health crisis, energy crisis and inflation one after the other. The effects of these shocks are felt very widely, whether in the daily lives of citizens or within companies. At the same time, the economy needs to adapt

to the challenges due to climate change, that require an in-depth review of the way we operate. Transport, at the heart of the ecological transition, and its regulation must play their part, by improving the adaptation of infrastructures and promoting low-carbon mobility. Finally, the growing need for citizens to move smoothly and seamlessly from one area to another underlines the need to

facilitate connections between different modes of transport, whether collective or individual.

The resulting investment needs, the completion of the process of opening up passenger rail transport to competition, the end of the historic motorway concession contracts and changes to the airport regulatory framework are all challenges for the regulator in the years ahead, which it will have to support proactively.

ART's strategic plan sets out a vision for economic regulation in the transport sector that aims to make a positive contribution to the sector transformation, based on four priorities:

- promoting transport infrastructure that meets the needs of the future;
- ensuring seamless mobility at affordable prices;
- · working towards sustainable mobility;
- fostering a culture of dialogue and continuous improvement.

This strategic plan is the result of a process that combined internal reflection with consultations involving institutional and operational stakeholders in the sector. These exchanges, as well as input from researchers, were instrumental in identifying the key issues for the future and ensuring that regulation remains firmly rooted in real-world challenges. This project was also an opportunity for ART to revisit the values and to

commit to perpetuating a working culture based on high standards, listening and individual and collective development, which unite its teams together.

It is important to me to remind everyone

I am strongly committed to

ensuring that the regulator

serves all public authorities -

European, national, and local

by providing independent

expertise while also addressing

the legitimate needs of both

public and private economic

players.

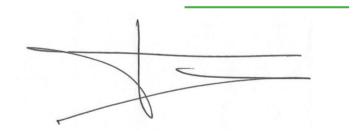


public and private economic players.

In this context, ART's independence is vital to ensure the effectiveness of its actions, which requires human and financial resources commensurate with its responsibilities. This independence obliges us to be an authority that is both impartial and open to dialogue with sector stakeholders.

Through this strategic plan, our goal is to continue building a regulatory system that fosters the development of mobility while addressing the significant challenges of our time. This project is not merely an action plan, it is a vision for the future, aimed at creating a more efficient, more resilient, and more sustainable transport sector.

#### Thierry Guimbaud, President of ART



# > PRESENTATION of ART

## AN AUTHORITY SERVING MOBILITY

# A single objective: improving the economic performance of the transport sector

ART is dedicated to developing high-quality, cost-effective transport solutions that meet the travel needs of citizens and businesses.

As an economic regulator, its role is to ensure fair access to transport infrastructure and to contribute to its efficient management, thereby supporting the development of the services that rely on it.

More broadly, ART oversees and supports sectors that were not previously opened to competition, such as rail and long-distance coach transport.

Law n°2009-1503 on the organisation and regulation of rail transport

#### Railway sector

"contributes to the monitoring and proper functioning of the national rail transport system in its technical, economic and financial dimensions" notably by overseeing charges and ensuring the quality and fairness of access conditions to the network, stations and other essential rail facilities.

December **2009** 

Law n°2015-990 for growth, activity and equal economic opportunities known as "Macron law"



#### Road passenger transport by longdistance coaches

"contributes to the smooth operation of the market for regular intercity passenger road transport services, [...]", particularly by

- conducting studies and providing relevant information
- overseeing access rules for facilities and coach stations
- granting its assent to projects led by transport authorities aiming to prohibit or limit new freely organized coach services operating over distances of 100 km or less

August **2015** 



#### **Motorway sector**

- "ensures the proper operation of the motorway pricing system"
- "may [...] collect data, perform expert assessments, conduct studies and carry out all necessary information activities in the motorway concession sector."
- "ensures effective and fair competition during the awarding of contracts [for works, supplies or services awarded by a concession company for the purposes of the concession]".



Created in 2009 to facilitate the opening of the national rail sector to competition, ART's responsibilities have been progressively expanded by law to encompass six sectors between 2015 and 2019.



Order of 24 July 2019 issued on the basis of the "PACTE" Act



#### Airport sector

- "approves the charges rates for services rendered [...] and their adjustments"
- "ensures the economic and financial monitoring of aerodromes", including those "whose annual traffic exceeded five million passengers in any of the previous five calendar years".

Law n°2019-1428 on the orientation of mobility, known as "LOM"



#### Digital mobility services sector

- ensures that "the data required for passenger information is made available" and that it is properly re-used
- ensures compliance with "terms and conditions of access to [digital] sales services" and with "obligations applicable [to the digital distribution of transport tickets mainly at local and regional level]".

July **2019** 

December **2019** 

Legal references illustrating ART's main powers (non-exhaustive list). The texts mentioned are those that originally assigned sectoral responsabilities; some provisions listed above may therefore have been conferred subsequently to the text mentioned.

Source: ART

## Urban public transport in the Île-de-France region

"is competent for the metro network and the regional express network (RER) [...], for the Grand Paris public transport network": in particular, it issues assents

- on the remuneration paid by Île-de-France Mobilités for its activities as infrastructure manager (metro, RER) and technical manager (Grand Paris)
- on the charging of security services applicable to operators.

# Taking action on infrastructure and the development of mobility, for the benefit of users

The often quasi-monopolistic nature of the essential infrastructures and activities on which mobility relies (rail network, motorways, airports, or even mobility data) necessitates regulation. When the State is also an economic stakeholder, for example by being a shareholder in competing operators, this regulation must also be independent.

#### Want to know m+re?

Find out more about ART's missions by sector on autorite-transports.fr

#### The role of ART

**CONTRIBUTE** to the effective governance of infrastructures

State (grantor, administrative supervisor or shareholder) and local authorities

Managers of essential infrastructure and facilities\*

**ENCOURAGE** the development of a wide range of transport services by ensuring fair access to infrastructure

**ENSURE** efficient management of monopolistic or hard-to-duplicate transport infrastructures

**CONTRIBUTE** to enabling informed choices for users

**Work** to ensure that the end-users receive the best sustainable service at fair price

\*Essential infrastructure and facilities, such as the rail network, railway stations or airport facilities, are non-substitutable goods, services or resources that are strictly necessary to carry out a given economic activity.

#### AN INDEPENDENT PUBLIC AUTHORITY AT THE **HEART OF TRANSPORT**

#### An independent link...

ART is an administrative body with legal personality (a public law entity) and its own resources in terms of funding and staff, set out in the Finance Act. It acts on behalf of the State but is not subject to government control.

It intervenes when independent regulation is necessary to prevent conflicts of interest and guarantee transparent, fair and non-discriminatory competition.

It provides a framework for natural monopolies and combats the formation of market power by public or private entities operating in the markets it regulates. This is done either under European legislation or to foster confidence in the organization and functioning of the sector.

It carries out the missions assigned to it by Parliament independently of any stakeholders, particularly economic or institutional players in the transport sector, ensuring that its actions are subject only to the oversight of the judiciary and Parliament.

ART's independence is guaranteed by a collegiate structure and strict rules laid down by law.

#### A collegiate structure governed by strict rules

Ethical rules apply to the different bodies of ART, both during and after their term of office.

#### 100 employees

economists, lawyers, financial analysts, auditors, data analysts and sector experts who examine the dossiers

#### A board composed of 5 permanent members

which defines ART's policy guidelines and adopts the opinions, decisions and recommendations on which its general action is based

- Strict conditions of appointment
- A non-renewable and nonrevocable mandate
- Appointed by the President of the French Republic, after - for two of them -, proposal from the recommendation of the President of the French Senate or the President of the French National Assembly

#### 1 sanction commission

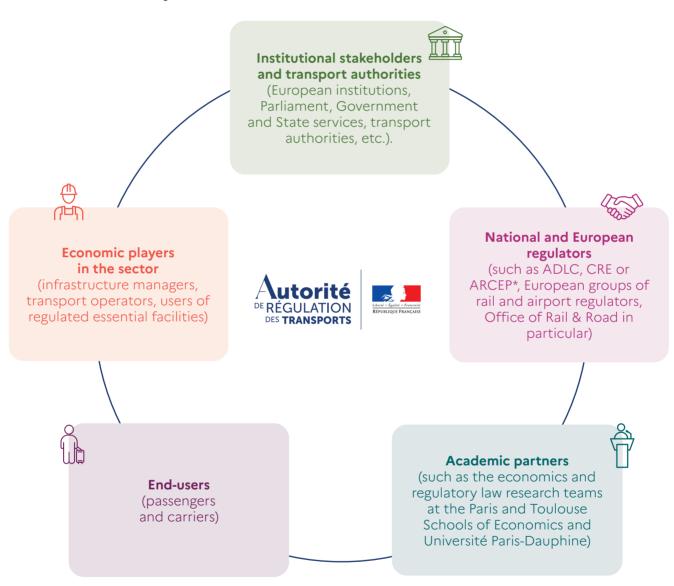


which adopts sanction decisions on referral from the board

#### ...at the heart of the transport ecosystem

ART has gradually begun to deepen its relations with its ecosystem and is endeavouring to place its action within a European dialogue.

#### ART and its ecosystem



\*French Competition Authority, French Energy Regulatory Commission or French Electronic Communications, Postal and Press distribution Regulatory Authority.

#### ART reports on its activities:

- to the French Parliament through hearings and its annual activity report;
- to the French Court of Auditors, which audits its accounts a posteriori;
- to the French Council of State, which reviews its decisions and opinions in the event of litigation;
- to the Court of Appeal of Paris and the Court of Cassation, which review its dispute resolution decisions in the event of litigation.

#### A WIDE RANGE OF POWERS

In order to carry out its role as an economic regulator, ART has four types of powers.

#### **Oversee**



...by clarifying, when necessary, the legal framework or its interpretation through:

- regulatory powers delegated by the legislator in certain areas
- guidelines

In 2023, ART published guidelines regarding the remuneration of capital for airport infrastructure managers.

The resolution of dispute settlements in 2020 and 2021 has enabled two regions,

Provence-Alpes-Côte-d'Azur and Hauts-de-France, to access the data (not previously provided by SNCF Voyageurs) they need to conduct calls for tender and organise their regional rail transport services.

#### **Arbitrate**



...disputes between stakeholders in the sector concerning conditions of access to essential facilities, installations and resources, and more broadly to the opening up of certain sectors to competition

#### **Control**



- toll charges applied by infrastructure managers
- their compliance with their obligations, particularly with regard to transport operators
- through legally binding or advisory opinions and decisions, as well as possible sanctions

Between 2016 and 2022, €300 million in tolls have been saved by motorways users following ART's intervention.

In 2023, ART sanctioned SNCF Réseau for failing to meet its transparency obligations towards freight operators.

#### **Inform**



ART regularly publishes studies on topical issues, for example in 2023:

- "Long-term scenarios for the rail network (2022-2042)"
- "The general economics of motoway concessions"
- "Recommendations for the evolution of the airport regulatory framework"

...in a factual and objective manner, public authorities, citizens and stakeholders to improve the way the sector operates, by means of advisory opinions, reports and studies



#### General interest

ART, as a public authority, carries out missions in the general interest.

The day-to-day commitment of ART's staff directly benefits the users of regulated transport infrastructure and services: transport authorities, transport undertakings and endusers.

More broadly, ART promotes an internal working culture based on the quality of individual and collective work, collaboration and continuous improvement, enabling everyone to play a full part in the collective success and achievement of ART's objectives.

The collective purpose of the missions assigned to ART is a driving force behind employee motivation and commitment.

#### **Impartiality**

Impartiality is one of ART's fundamental values, reflecting a desire for neutrality and fairness in stakeholders treatment, and objectivity and transparency in its decisions and opinions.

ART conducts its analyses impartially, taking into account the positions of all the actors during its investigations.

Independence from all stakeholders in the sector is a *sine qua non* condition for impartiality. It implies a major responsability for ART and requires appropriate financial and human resources.

Internally, impartiality is the collective line of conduct guaranteed by compliance with the ethics rules applying to everyone.

#### Dialogue

ART is committed to open, constructive and regular dialogue with all actors in the sector.

This dialogue is essential in order to enrich its opinions and decisions and nurture its understanding of the regulated sectors.

Public consultations and hearings are used to gather stakeholders's views on specific issues. ART also endeavours to consult them before publishing its reports and studies.

More broadly, listening and dialogue are practices that ART strives to promote both in its internal operations and in its day-to-day relations with stakeholders.

#### **Expertise**

To guarantee the reliability of its work, ART combines knowledge of the transport sector with methodological rigour and expertise.

Combining a variety of skills - economic, legal, financial, sectoral, data analysis - ART's board and its departments ensure the quality of all its decisions, studies and recommendations, by ensuring the reliability of the data used, the objectivity of its analyses, and the rigour of its legal, economic and financial methods and reasoning.

ART takes a particular interest in maintaining and constantly developing the skills of its teams in order to effectively address the new challenges facing the sector.



# THE SECTOR'S CHALLENGES AND THE RESULTING PRIORITIES FOR ART

The transport sector is facing a number of challenges that will require far-reaching changes over the next few years, both in terms of usage, with the significant development of electric vehicles and digital mobility services, and in terms of infrastructure and services for transport operators. ART's action will have to fit in with these changes.

#### Reconciling ecological transition and mobility development

In 2024, the transport and mobility sector faces major challenges, not least the ecological transition.

At a time when France is committed to achieving carbon neutrality by 2050, the transport sector's contribution to greenhouse gas emissions (30% nationally) makes this issue unavoidable for the transport regulator.

#### > Improving the quality and price of transport services

Maintaining high-quality mobility at the best possible price is also crucial, given that the need for transportation remains essential to the daily lives of citizens and to economic development.

Transport accounts for around 15% of household budgets, and over 20% for the poorest households. The cost of transport, which is particularly sensitive to changes in energy prices, weighs on household purchasing power and businesses' competitiveness.

# > Managing the necessary investments in the transport sector as effectively as possible

The question of how to manage and finance infrastructures that are essential to mobility is also a major issue for the coming years.

The need for increased investment to adapt to climate change in all transport modes, the renewal of an ageing rail network and, more generally, the need to develop the sector's efficiency and competitiveness, make this issue particularly central.

# > Facilitating the development of seamless mobility in a more fragmented transport system

Lastly, in addition to these first three challenges, there are gradual but nonetheless structural changes in the governance of the transport sector, leading to a new division of responsibilities for the organisation and management of transport services.

The growing number of stakeholders (the State, regional and local transport authorities, railway undertakings, etc.) highlights the need to change the way the sector is organised and to encourage the development of services enabling users to travel smoothly and seamlessly from one area to another.



The next few years will also be punctuated by specific deadlines for road and rail.

### > Preparing the future of French motorways

As regards motorways, the seven largest historic concessions, representing over 90% of the motorway network under concession (in km), will come to an end between 2031 and 2036.

In the meantime, in order to ensure the proper management of public assets and the use of high-quality motorway infrastructure, two major actions need to be undertaken: (i) to ensure that the infrastructure handed over at the end of the concessions is in good condition and, more generally, that the investments provided for in the contracts have been carried out; and (ii) to prepare for the future by learning the lessons of the current motorway concessions, including from a regulatory point of view.

#### > Preparing for the future of rail services

With regard to rail services, are concerned, the current decade will see the completion of the process of opening up passenger transport to competition.

Many actors have expressed an interest in contributing to the development of rail mobility in France, but the existence of barriers to entry has so far only led to the effective arrival of a few actors for freely organised passenger transport services.

In the case of services contracted by the regions, particularly for daily transport, the principle of awarding contracts on the basis of competitive tendering is now the rule, and competition will develop as calls for tender are issued.

In both cases, the challenge is to lower the barriers to entry and facilitate the arrival of new actors to enable the development and improvement of rail services.

## > "Act II" of economic regulation in the transport sector must take account of these issues

As an economic regulator, ART has the competences and tools to ensure the proper functioning of markets and contribute to both the efficient management of infrastructure and fair access for service operators.

In this context, ART has identified several strategic priorities to guide its actions over the next six years, in collaboration with other sector stakeholders, focusing on four main goals:

- Promoting access to transport infrastructure in line with future needs, by encouraging infrastructure managers to improve their performance and ensuring that all actors are treated fairly:
- Ensuring seamless mobility at regulated prices;
- Working towards sustainable mobility, reconciling ecological transition with mobility development;
- Fostering a culture of dialogue and continuous improvement, both with the stakeholders in its ecosystem and in its internal functioning processes.



# PROMOTING TRANSPORT INFRASTRUCTURES IN LINE WITH FUTURE NEEDS

n the future, ART intends to encourage the introduction of performance-based incentive mechanisms, while continuing to ensure that the infrastructure access charges applied by infrastructure managers are justified. It intends to ensure non-discriminatory access to these infrastructures.



Ensuring the quality of the service provided by infrastructure managers...

• Objectivising the quality of service offered by infrastructure managers through studies or the publication of indicators.

Given the scale of the maintenance work planned on the network and the arrival of new entrants, a study into the availability and allocation of rail capacity is one of the first studies envisaged.

- Encouraging infrastructure managers to implement good quality of service, in particular through pricing incentives, by comparing infrastructure pricing with the quality of service offered.
- Supporting the State-grantor, while respecting the competences of each party, in carrying out the operations prior to the handover of the motorways under concession at the end of the historic concession contracts (restoring the infrastructure to a good state of repair and carrying out the investments provided for in the contract).







## ... while keeping infrastructure costs under control

• Putting in place mechanisms to encourage infrastructure managers to better control costs and contribute to the monitoring and proper implementation of investments.

The development of technical and economic models shared with stakeholders, the conduct of international comparative studies, the use of investment planning documents (multi-year programmes) and even external audits will help to identify areas for improvement.

- Supervising and controlling the modalities of infrastructure managers' remuneration in all regulated sectors, against a backdrop of motorway concessions renewal, evolution of regulatory framework for airports changes, the need for ecological planning and increases in rail tolls.
- Informing the debate on how to manage the motorway network in such a way as to maintain a high-quality infrastructure while keeping costs under control.
- Providing information on the socio-economic relevance of investments when necessary.

# Ensuring fair treatment of operators



- Helping to improve the rail system governance and ensuring the independence of essential infrastructure managers.
- Monitoring the opening up of passenger rail transport services to competition and the development of rail freight transport services, by keeping a close eye on developments and actively listening to stakeholders.
- Contributing to the public debate on motorways future and the terms and conditions of possible concession renewals, while ensuring that the competitive intensity of the procedures is maximised.
- Ensure equal treatment of operators for access to essential infrastructure, including in the application of tariffs.

# ENSURING SEAMLESS MOBILITY AT REGULATED PRICES

RT's action contributes to the development of a high-quality mobility offer. By removing the barriers to entry encountered by transport operators, and by promoting transparency and access to travel information, ART helps to regulate prices and improve the quality of mobility for users, whether passengers or freight undertakings.



Promoting the quality of transport services provided to users by offering a more diverse range of products

- Facilitating access to infrastructure and inform public authorities about persistent barriers to entry in order to promote greater diversity among operators.
- Contributing to an effective competitive allocation of rail services contracted by the regions and the State.
- Studying the complementarity of transport services, for example, shedding light on the use of the modes best suited to regional mobility according to the characteristics of these areas.
- Studying the contribution of the transport sector to territorial planning policies in a context of opening up to competition and ecological transition.







# Enabling users to make informed mobility choices

- Working towards the development of travel information services that provide users with reliable, neutral and comprehensive information in order to facilitate and optimise their journeys and enable them to compare the transport services available.
- Continuing and supplementing the monitoring of price and service quality indicators carried out by ART as part of its sectoral or multimodal publications in order to help inform users on the one hand and improve service quality via reputational incentives on the other.

# Contributing to a seamless journey combining intermodality and better interconnections



- Supporting the development of multimodal digital services offering multimodal, multi-operator ticketing to encourage seamless and multimodal journeys.
- Encouraging rail and coach station managers to improve the quality of service offered to passengers and intermodality possibilities.
- Favoring European links, particularly rail links, by publishing a study on international tolls and promoting better coordination between SNCF Réseau and neighbouring infrastructure managers.
- Promoting multimodality and facilitating the use of rail in the freight sector.

# WORKING TOWARDS SUSTAINABLE MOBILITY

t is essential that ART's actions contribute to the major transport challenges of the years ahead, foremost among which is the ecological transition, in particular achieving carbon neutrality by 2050. To this end, it intends to support the development of less polluting transport modes, environmental pricing and effective green investments for the future.



Ensuring that ART's actions are consistent with the ecological challenge

- Encouraging the development of public transport by rail and long-distance coaches, where economically and ecologically relevant, both by supporting the opening up of domestic passenger transport services to competition and by working towards an ecologically efficient rail network.
- Facilitating investment in infrastructure that is resilient to climate change and necessary for the decarbonisation of the various modes of transport.
- Supporting the development of digital mobility services in order to develop intermodality and make less polluting public transport more attractive and competitive.





# Working to take greater account of environmental externalities by the transport sector

- Supporting the introduction of a pricing system that incorporates environmental externalities (noise, local atmospheric pollution, greenhouse gas emissions, etc.) into the design of tariffs and charges, in the form of an appropriate price signal. A study will be conducted as part of ART's work on the general economics of motorway concessions and the preparation for the future of the sector. This study will examine the possibilities offered by the European Eurovignette directive for incorporating the cost of motorway nuisances into motorway tolls.
- Helping to ensure that the environmental dimension is an integral part of the evaluation and selection criteria for new transport installations or services, particularly as part of the multiannual investment planning work carried out by infrastructure managers.



# Helping to inform the public debate on the environmental impact of transport

- Informing public authorities and users about the environmental cost of transport modes and mobility practices (sunshine regulation).
- Strengthening the impact of ART's publications on environmental issues by developing their content and encouraging collaboration with specialist stakeholders in this field.
- Undertaking an analysis of the suitability of different modes of transport particularly in terms of their environmental impact.



# FOSTERING A CULTURE OF DIALOGUE AND CONTINUOUS IMPROVEMENT

ART is committed to carrying out its missions effectively, working as closely as possible with the sector's stakeholders and exchanging views on a regular basis with its ecosystem, including national and European public authorities, infrastructure managers, carriers and users. It intends to capitalise on its broad scope of responsibilities to promote coherent regulation and a cross-disciplinary approach to the sector's issues whenever possible. It will continue to develop its learning culture, serving its staff well-being as well as the performance of its internal processes.



# Working closely with the national and European transport ecosystem

- Remaining attentive to the stakeholders in the sector (operators, users and regulated stakeholders) through regular dialogue, including hearings by the board, working meetings, public consultations and user surveys, and by facilitating feedback on the difficulties encountered in the sector.
- Providing answers to current public policy questions and issues, drawing on its own areas of expertise and developing its working relationships primarily with the French Parliament, the Government and the European Commission.
- Ensuring that decisions, studies and reports are systematically clear and accessible to the stakeholders concerned, by accompanying their publication if necessary, in order to facilitate their appropriation and public decision-making.
- Strengthening the sharing of experience and expertise with other independent regulators and academic research by participating in European working groups (European Rail Regulators' Network, Thessaloniki Forum for the airport sector), holding hearings with academic actors and entering into research partnerships.





## Making transport regulation more coherent and effective: a single authority

- Improving the coherence of the legal framework applicable to the various regulated sectors by, for example, helping to develop legislation to better contribute to transport policy, in particular by taking account of environmental issues.
- Increasing the transversality of our approaches and methods and the publication of cross-sectoral doctrines in order to capitalise on the multimodal nature of ART's scope.
- Ensuring that recommendations are implemented and that injunctions issued are complied with, by assessing the extent to which they have been complied with and following up with those to whom they are addressed.

## Paying attention to the development and well-being of employees



- Ensuring individual and collective development by encouraging individual progress and empowerment, implementing a career management policy tailored to employees' positions, and supporting employees in managerial positions by leading a community of managers.
- Promoting well-being in the workplace by providing high-quality working conditions, both on our premises and at home, and by ensuring a balance between professional and personal life (including the right to disconnect), as well as a convivial atmosphere and good information for all.
- **Developing a collaborative environment and a shared work culture** from the moment staff join ART by first offering an integration path.



# Improving the performance and efficiency of internal processes and tools

- Consolidating the «project mode» organisation introduced in 2020 to enable a more structured, efficient and flexible organisation of work from both a managerial and organisational point of view, using tools that facilitate workload planning and the day-to-day work of teams.
- Deepening the performance improvement work begun in 2021 with the creation of a specific internal mission, with a view to consolidating the efficiency and robustness of internal processes.
- Ensuring that ART's procedures run smoothly and securely by modernising the digital tools used.
- Implementing an information systems security management system to ensure that security can be audited in accordance with ANSSI recommendations.

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