

## PRESS RELEASE

Paris, November 27<sup>th</sup>, 2024

### ART issues its first dispute settlement decisions on digital multimodal services

*The French Transport Regulatory Authority (ART) today publishes ten dispute settlement decisions between Myzee Technology and managers of digital services for the sale of public transport tickets, concerning the possibility of digitally distributing such tickets to users as a "digital multimodal service provider". In particular, ART has granted Myzee Technology's request to enter into negotiations with the managers of these digital sales services with a view to concluding a digital multimodal service contract. The implementation of ART's injunctions will improve the transparency of the conditions of access to these digital sales services for providers of digital multimodal services.*

In February and March 2024, the company Myzee Technology referred to ART for the settlement of disputes with managers of the digital public transport ticket sales service concerning the issue of dematerialized tickets, on the basis of article L. 1263-5 of the French code of transport. In its referrals for dispute settlement, Myzee Technology, owner of the "Witick" application which enables users to buy and validate digital public transport tickets, asked ART to enjoin the managers of the digital sales services concerned to recognize its status as a "digital multimodal service provider" and, consequently, to "finalize and conclude" a contract with it enabling the company to distribute such tickets.

### IN FIVE DECISIONS, ART DECLARES MYZEE TECHNOLOGY REFERRALS INADMISSIBLE

In five decisions, ART considers that, at the date of referral, no dispute had arisen between the parties. These decisions concern the territorial scope of Nantes, Artois mobilités, Strasbourg, Saint-Étienne, and Valenciennes mobility organizing authorities. ART notes in particular that Myzee Technology, faced with the silence maintained by the mobility organizing authorities and their delegate companies in response to its requests, referred the matter to ART "without first ascertaining the deliberate nature of this silence or attempting to obtain a response, even a negative one, likely to characterize, in either case, a substantive disagreement from which it could have deduced the existence

*of a dispute of such a nature as to justify referral to ART" within the meaning of article L. 1263-5 of the French code of transport.*

## **IN FIVE OTHER DECISIONS, ART GRANTED MYZEE TECHNOLOGY'S REQUESTS FOR A DIGITAL MULTIMODAL SERVICE CONTRACT**

**In five other decisions, ART considers Myzee Technology to be a " *digital multimodal service provider*"** within the meaning of articles L. 1115-10 and L. 1263-5 of the French code of transport, insofar as its Witick mobile application "*enables the sale*" of mobility services to users. These decisions concern Orléans, Tours, Toulon, Bordeaux and Pays Basque Adour mobility organizing authorities.

**Consequently, within six months, it enjoins the managers of the digital public transport ticket sales services concerned to draw up and publish the general and specific contractual conditions applicable to any private or public person providing a digital multimodal service** and wishing to issue or resell tickets for public transport services within the perimeter of the networks concerned<sup>1</sup>, to communicate them to Myzee Technology and to offer the latter the opportunity to enter into negotiations on the basis of these contractual conditions in order to conclude a digital multimodal service contract.

## **THE IMPLEMENTATION OF THESE DECISIONS SHOULD FACILITATE THE DEVELOPMENT OF DIGITAL MULTIMODAL SERVICES**

**The measures adopted by ART are intended to apply to all operators of digital services for the sale of public transport tickets in situations comparable** to those covered by the decisions in question. This applies in particular to the publication of general and special conditions applicable to the issue or resale of tickets for public transport services by these operators.

**In this way, ART's decisions should contribute to the development of multimodal digital services.** Indeed, the implementation of the injunctions issued by ART should improve the transparency of access conditions for digital multimodal service providers to the digital sales services of mobility service managers.

### **Consult (in French):**

Decisions relating to disputes between Myzee Technology and managers of the digital service for the sale of public transport tickets (issue of dematerialized tickets):

- [Syndicat des Mobilités Pays-Basque-Adour](#)
- [Bordeaux Métropole and Keolis Bordeaux Métropole Mobilités](#)
- [SIMOUV and Keolis Bordeaux Métropole Mobilités](#)
- [Métropole Toulon Provence Méditerranée and RATP Dev Toulon Provence Méditerranée](#)
- [Saint-Etienne Métropole and Transdev Saint-Etienne](#)
- [Eurométropole de Strasbourg and CTS](#)

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<sup>1</sup> These are the TAO (Orléans), Fil bleu (Tours), Mistral (Toulon), TBM (Bordeaux) and Txik Txak (Pays Basque Adour) networks.

- [Artois Mobilités and Transdev Artois-Gohelle](#)
- [Nantes Métropole and SEMITAN](#)
- [Syndicat des Mobilités de Touraine and Keolis Tours](#)
- [Orléans Métropole and Keolis Métropole Orléans](#)

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**About the Transport Regulation Authority**

Since 2010, the French rail sector has had an independent authority to accompany its gradual opening up to competition: the Autorité de régulation des activités ferroviaires (Araf). Law no. 2015-990 of August 6, 2015 for growth, activity and equal economic opportunity extended the regulator's remit to road activities - coach transport and freeways. On October 15, 2015, Araf thus became the Autorité de régulation des activités ferroviaires et routières (Arafer), with the mission of contributing to the smooth operation of public service and competitive activities, for the benefit of rail and road transport customers.

Competent for the regulation of airport charges since October 1, 2019, Arafer became the Autorité de régulation des transports (ART) on this date. Lastly, the Loi n° 2019-1428 du 24 décembre 2019 d'orientation des mobilités extended ART's powers and missions to include the opening up of mobility and ticketing data, as well as the regulation of infrastructure management and security activities carried out by RATP in the Île-de-France region.

Its opinions and decisions are adopted by a college of five independent members chosen for their economic, legal or technical skills in the field of digital services or transport, or for their expertise in competition issues. Since December 29, 2023, it has been chaired by Thierry Guimbaud.