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From: [REDACTED] [mailto:[REDACTED]@blablacar.com]
Sent: Wednesday, May 25, 2016 10:25 AM
To: COMPTOUR Fabrice (CAB-BIENKOWSKA); [REDACTED] (GROW)
Cc: [REDACTED]
Subject: Meeting follow-up - Comments on the draft Communication

Dear [REDACTED] dear Fabrice,

Thank you again for our meeting yesterday. As agreed, you will find below a summary of our comments and suggested clarifications (by order of criticality for us). I am waiting to hear back from you Fabrice regarding what we could do with Commissioner Bienkowska on the 2nd of June in the margins of the EU Business Summit!

- **Page 3 (transport box):** I understand this box will be removed and the corresponding text transferred to the Commission's staff working document. In any event, we are not comfortable with the use of the term "ridesharing" to designate on-demand P2P types of services because we use the exact same term of "ridesharing" to talk about our activity, which as you know is completely different. **So as to avoid any confusion, which would be extremely damaging to our business, we would suggest either to designate on-demand P2P as "*on demand peer to peer car transportation service*" or to explain very clearly that, in the transport sector, the term "ridesharing" is being used by different companies to designate at least two very different models: on-demand + profit + intra-city vs. the driver is driving anyway + cost-sharing + city to city.**
- **Page 5 (cost sharing):** I understand the paragraph that currently differentiates between pure cost sharing activities from remuneration-based activities may be moved to a footnote so as to shorten the text. As explained, **this paragraph is THE key paragraph for us in the Communication because it is the only paragraph, which specifically talks about our model.** We understand the context of the discussions but we believe it would be a shame not to have a paragraph describing the model of the most successful and only pure sharing economy model in the EU in the body of the Communication just to save one or two lines of text..
- **Page 18 (tax):** in connection with the previous point, we believe the tax section of the Communication should encourage Member States to distinguish between cost sharing and revenues and **clarify what's taxable and what is not.**
- **Page 15 (liability):** as discussed, we believe it would be useful to **clearly distinguish between liability for online content and liability for activity happening outside of the platform.** Those are two completely different things and it should be clarified that the developments on hosting liability in the Communication

apply only to content/activity hosted on the platform and not to activities happening outside of the platform.

- **Page 17 (trust)**: in order to allow platforms (if they wish to do so) to perform additional verifications regarding their members' identity or capacity to conclude or execute the transaction and so as to increase trust, **Member States should be encouraged to open some of their official databases to private companies** (similar to what exists in India or Turkey).
- **Page 9 (liability)**: we did not discuss during our meeting but it does not seem fair to us that ID or any other type of verification could be held against a platform and put into question the fact that the platform does not provide the underlying service (it's very similar to what you say when you talk about the fact that additional services should not jeopardize the hosting provider liability regime). Trust is so key to the functioning of the sharing economy platforms that **their ability to perform additional checks or put safety measures in place should not be limited in any way**.

Please do not hesitate to contact me should you have any questions!

Best regards,

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