

Notification 119480.1

Comments from the European Commission

Notification 119480.1 concerns the draft decree introducing into the Transport Code a series of articles on the activities of approved cycle identification operators.

These are private operators responsible for affixing an identifier on cycles, in accordance with the regulations in force, and managing a database of cycles thus identified. As of 1 January 2021 (new cycles) or 1 July 2021 (second-hand cycles), all cycles sold by a trader will have to have an identifier provided by an approved cycle identification operator.

These operators are approved by the Minister for Transport for a period of one year, tacitly renewable for six years. They must provide guarantees of solvency, competence and reliability, to be defined by decree at a later date.

The Commission would like to ask the French authorities the following questions:

1. According to the notification, the system for the approval of cycle identification operators is intended to guarantee to the trader that the identifier affixed to the cycles is in line with the national system for the identification of cycles. The Commission is wondering how the guarantee of solvency required for approval contributes to this objective?
2. It would also like to know more generally how operators from other EU countries could provide cycle identification services – can approvals [of foreign operators] granted in their home country be recognised in France, and how?
3. When a cycle is bought in another Member State, how can the owner register it in France? Are identification operators only bound to identify cycles they sell themselves, or do they also have to provide an identifier for cycles bought elsewhere?