

*courtesy translation – only the Italian language is authentic*

**MEASURES LAYING DOWN THE MINIMUM RIGHTS, INCLUDING  
COMPENSATION, THAT MAY BE CLAIMED BY USERS FROM  
MOTORWAY CONCESSIONAIRES AND OPERATORS OF SERVICES  
PROVIDED IN THE SERVICE AREAS OF MOTORWAY NETWORKS**

## Measure 1

### (Subject and scope)

1. In accordance with Article 37 (2) (e) of Decree-Law No 201 of 6 December 2011, converted, with amendments, into Law No 214 of 22 December 2011, the measures contained herein set out the minimum rights, including compensation, that may be claimed by users from motorway concessionaires and operators of services provided in the service areas of motorway networks.
2. Any additional safeguards increasing users' protection that may be included in their service charters by motorway concessionaires shall remain unaffected.

## Measure 2

### (Definitions)

1. For the purposes of this provision, the following definitions shall apply:
  - a) **Authority:** the Transport Regulation Authority established under Article 37 of Decree-Law No 201 of 6 December 2011, converted, with amendments, into Law No 214 of 22 December 2011, within the framework of the regulation of public utility services pursuant to Law No 481 of 14 November 1995;
  - b) **Dedicated app:** dedicated mobile-first application (e.g. responsive web or mobile app), managed in collaboration with all concessionaires, available for free download by users, optimised for mobile devices, such as smartphones or tablets. The purpose of the app is to provide motorway users at least the information – both in map and text format – referred to in Measures 3 and 4, as well as for submitting complaints and obtaining compensation and reimbursement;
  - c) **construction site:** a designated or marked area, including for the execution of works and/or interventions that, regardless of their duration and extent, reduces the full capacity of one or more sections of the motorway network, including bypasses, junctions, ramps, and interchanges within the concession. This results in the unavailability, even partial, of one or more lanes and/or in a route diversion and/or, in any case, in a limitation of the maximum permitted speed;
  - d) **emergency construction site:** a site established in response to accidents, extraordinary and unforeseeable weather or hydrogeological events, rescue operations and associated restoration activities;
  - e) **Service charter:** document drawn up in accordance with these measures and the Directive for adoption of the Motorway Service Charter by the Minister for Infrastructure and Transport of 19 February 2009, including the concessionaire's commitments towards users;
  - f) **Highway code:** New Highway Code, referred to in Legislative Decree No 285 of 30 April 1992;
  - g) **Grantor of the concession:** public or private entity granting the motorway concessionaire the administrative powers pertaining to the construction and/or management of a motorway

- infrastructure, in accordance with the procedures and terms governed by the existing legislation and the concession agreement;
- h) **motorway concessionaire (hereinafter also: concessionaire)**: entity, either public or private, in charge of the construction and/or management of the motorway infrastructure under concession, in accordance with the procedures and terms governed by the existing legislation and the concession agreement;
  - i) **Decision No 130/2022**: the Authority's Decision No 130/2022 of 4 August 2022 approving "*Measures for definition of model tender notices to be complied with by motorway concessionaires for the award of EV charging services*";
  - j) **Decision No 1/2023**: the Authority's Decision No 1/2023 of 11 January 2023 approving "*Measures for definition of model tender notices to be complied with by motorway concessionaires for the award of fuel and lubricant, CNG and LNG distribution services and commercial and catering services*";
  - k) **Service area operator**: entity responsible for managing one or more services provided in the service areas;
  - l) **Compensation**: amount owed by the concessionaire to the user, in accordance with Measures 7.4 and 12.1, or as stipulated in the Service Charter;
  - m) **Complaint-handling system**: a set of organised procedures for collecting complaints and providing reasoned response to them;
  - n) **service areas**: pursuant to Article 24(4) of the Highway Code, and in so far as is relevant here, the service areas, with associated facilities for refuelling, vehicle charging and refreshment, parking areas, areas and buildings for motorway maintenance or however intended by the motorway owner to be permanently and exclusively at the service of the motorway and its users;
  - o) **Toll payment lane**: a (barrier or interchange) toll gate where users pay the toll, according to the methods indicated through the vertical signage on the shelter;
  - p) **PRM**: persons with disabilities or reduced mobility;
  - q) **publicly accessible recharging point (recharging point)**: pursuant to Legislative Decree No 257 of 16 December 2016, Article 2 (1) (c), (e) and (g), an interface capable of charging one electric vehicle at a time, which guarantees non-discriminatory access to all users, including through different authentication, use and payment methods. "High power" recharging points (over 22 kW, divided into "fast" up to 50 kW and "ultra-fast" above that threshold) are of relevance on motorways.
  - r) **refuelling point**: publicly accessible equipment for vehicle refuelling with fuels and lubricants, compressed natural gas, or liquefied natural gas;
  - s) **ANAS fee**: the components described under 8.1 (a.1) and (a.2) of the charging systems approved by ART:
    - the annual charge pursuant to Article 1 (1020) of Law No 296 of 27 December 2006, set at 2.40% of net toll revenues;

- the charge supplement referred to in Article 19 (9-bis) of Decree-Law No 78/2009, converted into Law No 102/2009, as supplemented by Article 15 (4) of Decree-Law No 78/2010, converted into Law No 122/2010;
- t) **complaint:** any written communication whereby a user, or a representative or user association on their behalf, submits a complaint and/or a request, including of an economic nature, concerning the non-compliance of the service with one or more requirements under EU or national legislation, or these measures or, where applicable, the Service Charter;
- u) **reimbursement:** the amount owed by the concessionaire to the user under Measure 8.3;
- v) **open system:** motorway sections where toll collection is managed through portals on the infrastructure equipped with devices that detect vehicles and accurately classify vehicles based on objective physical parameters. The toll is calculated based on the distance travelled;
- w) **closed system:** motorway sections where toll collection occurs at exit stations with dedicated lanes equipped with devices that identify vehicles, accurately classify them based on objective physical parameters, and calculate the distance travelled. The latter is calculated by measuring the vehicle's passage between two detection points (entry and exit stations) of the infrastructure, connected to the motorway via interchanges and equipped with traffic channelling systems and barriers. At these stations, vehicles are automatically detected and classified. The toll calculation at the exit station is based on a unitary rate, calculated per kilometre and vehicle class, as defined in the contract between the concessionaire and the grantor;
- x) **semi-closed system:** motorway sections where toll collection occurs at toll stations with dedicated lanes equipped with devices that identify vehicles, accurately classify them based on objective physical parameters, and associate the distance travelled with a specific length. The distance can be calculated based on the actual segment travelled (in cases where there is a single route passing through the same toll station) or assigned on a conventional basis, when multiple route options intersect the same toll station;
- y) **ART charging systems:** toll charging systems approved by the Authority pursuant to Article 37 (2) (g) of Decree-Law No 201/2011;
- z) **station:** access structure for entering and exiting the motorway, equipped with toll collection devices as specified in Article 63 (2) of Presidential Decree No 495 of 16 December 1992 (Regulation implementing the new Highway Code). A station can be classified as follows:
  - "barrier" station: designed to block the motorway lane intercepting traffic in transit;
  - "interchange" station: designed to block only the access ramps of the motorway to the local road network, intercepting traffic entering and exiting the motorway;
- aa) **traffic jam:** a line of stationary vehicles on a motorway section, a branch of an interchange, or at a station/interchange. The roadway is fully obstructed (blockage) rendering vehicle transit temporarily impossible. If the situation persists, traffic management measures may be implemented to relieve the backlog, such as allowing U-turns or redirecting vehicles to the opposite carriageway, in order to prevent the queue from extending (including mandatory entry and/or exit restrictions), or rerouting onto alternative routes;
- bb) **elementary section:** a motorway network segment between an entry and/or exit point and

the next one;

- cc) **traffic disruption**: events described as such in the Traffic Events Glossary (<https://www.poliziadistato.it/articolo/le-informazioni-di-viabilita-italia>), including queues, intermittent queues, traffic jam, slow traffic;
  - dd) **user**: any person who, for professional or non-professional purposes, utilises or intends to utilise the motorway infrastructure and the services provided in its service areas;
  - ee) **free-flow speed**: average vehicle speed under no traffic or light traffic allowing for unconstrained driving.
2. Unless expressly stated otherwise, the definitions provided in the Highway Code and its implementing regulations shall apply.

### Measure 3

#### **(Right to transparency regarding the management and use of motorway infrastructure and services provided in its service areas)**

1. Users have the right to access information about the management and use of the motorway infrastructure and the services available in its service areas. This information is provided by motorway concessionaires in accordance with Measure 5 and shall include at least:
  - a) the conditions for a safe use of the infrastructure and the services provided in its service areas;
  - b) the contents of the Service Charters, with special attention to:
    - b.1) cases that give rise to full or partial reimbursement of tolls and subscriptions, as well as compensation, including the methods and timelines for payment and the conditions that may determine automatic reimbursement or compensation;
    - b.2) complaint procedures, established in accordance with Measure 10, specifying the available channels and languages, the minimum information required for processing a complaint, and guaranteed response times. They should also detail the remedies available in cases of no response or unsatisfactory response. This includes the procedures for out-of-court dispute resolution, as well as the right to submit complaints, requests, or reports to the Authority regarding compliance with quality and tariff levels;
    - b.3) information channels referred to in Measure 5, with evidence of the means available for obtaining up-to-date and real-time information on traffic and road conditions.
  - c) the management criteria for construction sites adopted by the concessionaire in accordance with Measure 8.2, as well as, at least for non-emergency sites, the associated impact over the past 12 months in terms of a percentage ratio, calculated monthly, between the kilometres of lane that are unavailable and those that remain open to traffic. Time-weighting factors should be considered for each elementary section, or for a group of elementary sections with a total length not exceeding 50 km;

- d) open construction sites, including emergency sites beyond 5 days, and those planned for the upcoming three months, with updates as soon as changes are known. For each site the following details should be included:
- d.1) type of construction site and reason for its necessity, including specific days and opening hours;
  - d.2) elementary section(s) and lane segment(s) concerned, specifying the direction of traffic, and the type of restrictions on infrastructure use;
  - d.3) potential impact on traffic, specifying, based on historical traffic data, the days and time slots when maximum disruption may occur;
  - d.4) anticipated and actual opening date, anticipated and actual completion date, as well as any extensions and the corresponding reasons;
- e) measures concerning the prohibition of certain types of traffic, including the reasons for these restrictions and the estimated duration;
- f) categories of events that are likely to cause disruptions to motorway traffic and/or safety issues, including accidents or existing obstacles on the roadway. For each type of event, the average time required to restore normal traffic and/or safety conditions should be specified, based on monitoring data from the previous year;
- g) a brief description of the protocols and operational procedures established under Measure 6 for emergency management, including the conditions under which sections may be closed, even for the purpose of implementing these operational procedures;
- h) a brief description of the quality indicators identified by the grantor, specifying:
- h.1) whether they have been defined in accordance with ART's charging systems, and, if not, the reasons why they are not yet applicable;
  - h.2) the frequency of monitoring the indicators and a summary of the related results, or, in the absence thereof, a statement regarding the absence of quality and/or monitoring indicators;
- i) the deviation, calculated monthly, for each elementary section, or for aggregate elementary sections with a total length not exceeding 50 km, between the actual average travel time recorded and the travel time at free-flow speed, differentiated by traffic type (light/heavy), time slot (daytime/nighttime) and type of day (weekdays/holidays);
- j) for closed and semi-closed systems, the total number of toll stations and payment lanes for each operated motorway section and travel direction, including the number of payment lanes that were out of service for more than 24 hours in the previous year;
- k) the methods for calculating tolls, specifying whether ART's toll charging systems are applicable, as well as the trends in toll increases over the past 5 years, highlighting the key factors that have influenced annual charge adjustments;
- l) the unit charge, expressed in euro per kilometre, applicable to each elementary section, defined for each vehicle class, specifying whether it is a lowland or mountain rate, and, where applicable, whether additional adjustments provided for by ART's charging systems are

- applied, along with ANAS fee and VAT rate;
- m) any existing discounts for specific categories of users, specifying the conditions for their application, and/or the availability of subscriptions and their corresponding terms of use;
  - n) the methods of toll collection, the consequences of non-payment, and the procedures adopted for recovery, detailing the self-certification methods of the route in case of unrecorded entry;
  - o) the award procedures adopted for electric charging services, distribution of fuels and lubricants, CNG, LNG, commercial and catering activities, specifying whether the measures adopted by the Authority under Decisions No 130/2022 and No 1/2023 have already been applied;
  - p) the number of recharging points available for each operated motorway section and in each direction, broken down by type based on nominal power;
  - q) the number of refuelling points available for each operated motorway section and in each direction, broken down by type of fuel;
  - r) the quality indicators outlined in the sub-concession contracts, specifying whether they have been defined in accordance with Measure 15 of Annex A to Decision No 130/2022 and Measure 15 of Annex A to Decision No 1/2023 of the Authority, and the aggregated results of the verification conducted under those measures, or, in the absence thereof, a statement concerning the lack of quality and/or monitoring indicators;
  - s) the specific commitments and price monitoring and control systems outlined in the sub-concession contracts, as referred to in Measure 14 of Annex A to Decision No 1/2023 of the Authority, where applicable, and the aggregated results of the monitoring conducted under that measure;
  - t) for each year, the number and categories of complaints received and processed, categorised by reason for complaint according to the classification referred to in Measure 13.1(c), the average response time, the outcomes related to each complaint, and the measures adopted to address the main service disruption identified, the level of satisfaction reported by users regarding the response received, as well as the number and total value of compensation provided under Measure 12.
2. To ensure the availability of toll calculation systems for motorway routes that involve sections operated by different concessionaires, the updated toll for each route between each entry and exit point is provided in an open data format, by vehicle class.

#### **Measure 4**

##### **(Right to travel information)**

1. In relation to the motorway sections managed and in collaboration with one another, and in order to ensure consistent information, the motorway concessionaires will ensure – following the

procedures outlined in Measure 5 - the availability of specific information regarding the user's route of interest, so as to enable the best travel choices, including at least:

- a) the shortest motorway route in terms of distance and the fastest route to reach the chosen destination, as well as, for the route selected by the user:
  - a.1) travel time under normal traffic conditions, calculated based on free-flow speed, by traffic type (light/heavy);
  - a.2) expected travel time by traffic type (light/heavy), taking into account any construction sites, and road and traffic conditions at the time of the query, or, for queries related to a scheduled departure within the next seven days, the expected travel time, considering historic traffic data, seasonal variations, days (holidays/weekdays) and time slots (daytime/nighttime), as well as any scheduled construction sites;
  - a.3) average speed, and traffic data by type (light/heavy), recorded over the last month and in the corresponding month of the previous year, broken down by day (holidays/weekdays) and time slot (daytime/nighttime);
  - a.4) toll amount based on vehicle class;
- b) for closed and semi-closed systems, with reference to the relevant toll station for the chosen route, the number of working toll lanes compared to the available total number – considering a lane not working if it has been out of service for more than 24 hours – broken down by toll payment method;
- c) any ongoing events on the chosen route, including extraordinary events, that cause deviations from the travel time under normal traffic conditions or result in a higher toll;
- d) the existing construction sites, as well as those scheduled within the next seven days on the chosen route, that may cause traffic disruptions, including:
  - d.1) the type of construction site and its operating hours and days, as well as the expected completion date;
  - d.2) the type of restriction on the use of the infrastructure, specifying the number of lanes and the maximum allowed speed – subject to any additional restrictions for specific vehicle categories or under specific weather conditions in compliance with the Highway Code - for the section concerned in the absence of construction sites as well as the reduction in the number of available lanes and maximum allowed speed due to the construction site;
- e) the procedures for obtaining toll reimbursements, if applicable;
- f) the information regarding the presence and location of service areas and parking facilities, as well as timely updates for each area based on information provided by the service operators, including:
  - f.1) the number of operating electric charging points, categorised by type based on nominal power and connector type;
  - f.2) the number of operating refuelling points, categorised by type based on fuel



- supplied;
- f.3) the available commercial and catering activities, including their operating hours;
  - f.4) the webpage containing price information as referred to in Measure 14.2 of Annex A to Decision No 130/2022 and Measure 14.8 of Annex A to Decision No 1/2023 of the Authority, where applicable;
  - f.5) the number of restrooms, specifying how many are accessible to PRM, and the number of available showers;
  - f.6) the total number of available parking spaces reserved for persons with disabilities;
  - f.7) the total number of available parking spaces for heavy vehicles and buses.
2. Along the route, the motorway concessionaires, in relation to the managed sections and in collaboration with one another, provide users with information on travel safety and, as outlined in Measure 5, adequate information concerning at least:
    - a) channels for obtaining updated and real-time information on traffic and road conditions, as well as the applicable toll for different sections;
    - b) the nearest parking and service areas, including details about the available services;
    - c) available channels for requesting mechanical or health assistance, or assistance in case of illness, breakdown, malfunction, or accident on the motorway network;
    - d) accepted toll payment methods, ensuring equal visibility for all options;
    - e) channels for requesting any toll refunds or compensation.
  3. To ensure that the information referred to in points 1 (f) and 2 (b) is kept up to date, operators of the services provided in the service areas shall promptly inform the concessionaires of any changes in the availability of charging and refuelling points, as well as any services provided by them, using the methods and channels specified by the concessionaires.
  4. In the event of traffic disruptions, including those caused by weather or hydrogeological emergencies, the motorway concessionaires, in relation to the managed sections and in collaboration with one another, as well as in coordination with the relevant authorities involved in addressing these disruptions, shall provide users with information as soon as it becomes available. This information will be shared promptly to allow users to avoid entering the motorway or make alternative route choices, in accordance with Measure 5. It will include at least:
    - a) a description of the ongoing disruptive event, including its cause;
    - b) an estimate of the expected increase in average travel time for the route concerned and the estimated resolution times, or an indication that they cannot be estimated;
    - c) possible alternative road and/or motorway routes;
    - d) where applicable, the implementation of the operational procedures referred to in Measure 6, specifying the types of assistance provided under these procedures. This includes, if necessary, the identification of any service or rest areas that are specifically equipped and designated as assistance and refreshment points;
    - e) recommendations, behavioural suggestions, and warnings aimed at ensuring the technical

and personal safety of users.

5. The information obligations set forth in Commission Delegated Regulation (EU) No 885/2013 of 15 May 2013 and Commission Delegated Regulation (EU) No 886/2013 of 15 May 2013, where applicable, shall remain unaffected.
6. In accordance with the regulations on the protection of individuals with respect to the processing of personal data, after the journey, users have the right to obtain, where available and according to the methods outlined in Measure 5.5, the information related to:
  - a) date and time of transit:
    - a.1) in the case of a closed system, at the entry and exit toll lanes;
    - a.2) in the case of a semi-closed system, at the relevant toll lane for payment;
    - a.3) in the case of an open system, at the corresponding portals;
  - b) the route taken, the distance travelled and the actual travel time;
  - c) the sections crossed, with indication of the involved concessionaires and the toll paid, detailing the unit rate applied for each elementary section travelled, specifying whether it is a lowland or mountain rate, and indicating, where applicable, any additional adjustments provided by ART's charging systems;
  - d) whether the conditions for a toll reimbursement are met and the methods by which it can be processed.

## **Measure 5**

### **(Methods for providing information and coordination among concessionaires)**

1. The information referred to in Measures 3 and 4 is provided to users in a clear, comprehensive, updated and easily accessible format, available in at least one other language besides Italian. Special attention is given to the needs of persons with disabilities, ensuring access through at least the following free channels:
  - a) a channel accessible to those without internet access;
  - b) a website and dedicated app, both of which include a link to the Authority's website.
2. The information channels referred to in (1) are specified by the motorway concessionaires in their service charters, on their respective websites and in the dedicated app, through the following additional methods:
  - a) mobile or fixed panels, located on the motorway and near entry ramps, before vehicles merge into the traffic flow, in accordance with the principles of proximity and priority for message dissemination outlined in the Highway Code;
  - b) bulletins and announcements via radio or TV channels;
  - c) information in parking and service areas, possibly through QR codes.
3. In any case, the information referred to in Measure 3 is included in a dedicated section "General

- information on use and management of infrastructure and services", available on both the website and the app. This can be accessed through a dedicated link on the home page and the app's main screen, except for the information referred to in Measure 3.1(d) regarding construction sites with a total duration not exceeding 5 days (including non-consecutive) which is provided upon simple request.
4. The information referred to in Measure 4.4 is, in any case, provided to users with timely and comprehensive updates through all of the following methods:
    - a) mobile or fixed panels, including variable message panels (VMP), located near motorway entrance ramps, before vehicles merge into the traffic flow, as well as in parking and service areas, in accordance with the principles of proximity and priority of message dissemination outlined in the Highway Code;
    - b) in a dedicated section "Traffic disruptions/Current emergencies" of the website and the app, accessible through a dedicated link on the home page and the app's home screen. In both cases, users should be able to activate push notifications, with an option for audio alerts as well;
    - c) announcements via radio or TV channels.
  5. The information referred to in Measure 4.6 is made available:
    - a) on the receipt issued at the time of toll payment, upon request, possibly through a QR code;
    - b) for those using electronic toll systems or registering their vehicles, via the website and the app.
  6. Motorway concessionaires shall consult the representative associations of users and persons with disabilities at least once a year to gather their feedback and proposals on the clarity, completeness, usefulness, accessibility, and timeliness of the information provided, including with regard to the content and features of the dedicated app.
  7. Motorway concessionaires shall cooperate with each other and with the relevant authorities to implement the following:
    - a) protocols for data formatting and use of a standardised language, in accordance with the European DATEX II dictionary and its updates, to ensure immediate accessibility of information;
    - b) interoperability protocols for VMPs, to disseminate the information specified in Measures 4.1, 4.2 and 4.4 even beyond the sections managed by individual concessionaires, and, where possible, in collaboration with relevant bodies, to provide information on traffic conditions on urban and extra-urban motorway access roads;
    - c) a dedicated app for the entire motorway network that enables users to access at least the information outlined in Measures 3 and 4 for the entire route of interest.
  8. By 31 March of each year, the concessionaires shall submit a specific report to the Authority, detailing the outcomes of the consultations referred to under (6) and the collaboration outlined in 7 (a) and (b). This report shall also include the measures implemented to promote the transparency, accuracy, and timeliness of the information provided.

## **Measure 6**

### **(Operational procedures for assistance)**

1. To prevent and mitigate traffic jams or queues, also due to unforeseeable circumstances, the concessionaires shall continuously monitor the network, recording real-time traffic conditions and promptly identifying any disruptions: This is aimed at informing users as quickly as possible and take the necessary measures to restore normal traffic flow, while ensuring the safety of both users and on-site operators.
2. Motorway concessionaires shall implement specific operational procedures that outline assistance measures in cases of traffic jams or queues, in coordination with the authorities and entities in charge of road safety. These procedures will be proportionate to the length of the queue or the duration of the traffic jam, as well as to the weather conditions, including, *inter alia*:
  - a) constant updating of all information channels and coordination with the managing bodies of other transport infrastructure (ports, airports, stations, roads) that could be impacted;
  - b) in case of traffic jam, timely and appropriate distribution of basic necessities, proportionate to the duration of the traffic jam and the circumstances;
  - c) conditions that lead to the closure of access points to prevent further deterioration of the situation;
  - d) specific measures to assist PRM and their caregivers, including at least the provision of a dedicated toll-free telephone number for assistance requests;
  - e) management of stations to facilitate user exits.
3. By 31 March of each year, the concessionaires shall submit to the Authority a specific report regarding the implementation of this measure. This report must include a thorough analysis of traffic jam incidents lasting at least one hour on the relevant motorway sections, outlining the assistance provided during these events and the associated timing, or offering an explanation for any instances where assistance was not provided.

## **Measure 7**

### **(Right to accessibility and usability of parking and service areas for PRM)**

1. Motorway concessionaires and operators of the services provided in the service areas, within their respective remit, shall ensure, in accordance with accessibility regulations and the service charters, and in line with the information provided to the public, the full availability and usability of services available in the service areas for PRM.
2. In the events of changes affecting the conditions of full accessibility and availability/usability referred to in (1), the motorway concessionaires and operators of services provided in the service areas, within their respective remit, shall promptly inform users of any unavailability of infrastructure or facilities in the service areas that may limit accessibility and availability/usability, as well as the necessary time for restoration. In particular, they shall indicate the nearest service area for PRM equipped with fully accessible or usable infrastructure and services.

3. In any case, the information referred to in (2) shall be made available in a dedicated section of the website and mobile application on "PRM Accessibility", accessible via a dedicated link on the homepage and home screen of the mobile application.
4. Motorway concessionaires shall provide compensation to PRM in cases of discrepancies between the information in the section referred to in (3) and the actual conditions of accessibility and usability of services in the parking and service areas, including any necessary adjustments to their service charters. Should the discrepancy result from a lack of communication by the operators of the services provided in the service areas, these operators shall reimburse the concessionaires for any compensation paid.

### **Measure 8**

#### **(Application of tolls, construction scheduling, and right to reimbursement in case of limitations on the use of infrastructure)**

1. Users are entitled to the application of tolls based on the average unit charge, which is adjusted annually following the annual assessment of service quality and the implementation of investments, in accordance with the charging systems established by ART.
2. Concessionaires shall plan the construction works that occupy part of the roadway and/or associated areas for activities that cannot be carried out without restricting traffic on the section concerned. This planning is conducted in accordance with Article 30 of Presidential Decree No 495/1992 (Regulation implementing the new Highway Code), to minimise the impact on motorway traffic while considering the various types of traffic affected by these restrictions.
3. Users are entitled to a full or partial reimbursement of the toll based on mechanisms established in relation to restrictions on the use of motorway infrastructure, as defined by the Authority with an ensuing measure.

### **Measure 9**

#### **(Rights related to the use of EV charging services, distribution of fuels and lubricants, CNG, LNG, and commercial and catering activities)**

1. Users are entitled to access to the following services, where available:
  - a) EV charging services provided in accordance with the conditions laid down in the measures adopted by the Authority pursuant to Article 37 (2) (g) of Decree-Law No 201/2011, as determined through tendering procedures;
  - b) distribution services for fuels and lubricants, CNG, LNG, and commercial and catering activities in accordance with the conditions laid down in the measures adopted by the Authority pursuant to Article 37 (2) (g) of Decree-Law No 201/2011, as determined through tendering procedures.
2. The concessionaires and operators of the services provided in the service areas shall ensure, within

their respective remit, appropriate ordinary and extraordinary maintenance of the infrastructure and equipment to guarantee the availability of services for motorway users, with particular attention to the needs of users with disabilities.

### **Measure 10**

#### **(Accessibility of the concessionaire's complaint procedures)**

1. Motorway concessionaires shall establish an easily accessible and user-friendly complaint-handling system, in particular with regard to the needs of persons with disabilities. This system will include:
  - a) the option to submit complaints in at least one language other than Italian, with responses provided in the same language;
  - b) multiple channels for submitting complaints, including at least:
    - b.1) a dedicated app and website, accessible without prior registration via a link on the homepage, or through e-mail, ensuring that an appropriate receipt is issued. If a certified email address is used, it must be enabled to receive emails from non-certified email accounts;
    - b.2) the option to submit complaints by registered mail to a physical address or post office box;
  - c) a reasoned response within 30 days of the date of the complaint's receipt or within the timeframe specified by the Service Charters, if shorter.
2. Subject to the provisions of (3), motorway concessionaires are required to review complaints that include at least the following:
  - a) the user's identification details (name, surname, contact information) and those of any representative, accompanied by a proxy and a copy of the user's identity document in such case;
  - b) the identification details of the journey made or planned (entry and exit points, date and time of transit, vehicle registration number) or a copy of the toll receipt;
  - c) a description of how the service does not meet one or more requirements established by European, national or regulatory legislation or, where applicable, by the service charter.
3. If a complaint is missing one of the elements outlined in (2), motorway concessionaires shall inform the user of the complaint's inadmissibility and provide the option to resubmit it with all the necessary information.
4. For the purposes of the deadlines referred to in (1) (c):
  - a) if the complaint is submitted by email or through a website or dedicated app, it is considered submitted and received on the day it was sent;
  - b) if the complaint is submitted by registered mail to a physical address or post office box, it is considered submitted on the day it was sent and received on the day it is delivered to the concessionaire;

- c) if the concessionaire allows submission by ordinary mail among the available channels, the complaint is considered submitted on the day it is sent and received on the day it is registered by the concessionaire in its systems, which must occur promptly and no later than five days of delivery.
5. Motorway concessionaires carry out an annual analysis of the complaints received, with the aim of improving processes and addressing identified issues. The results of this analysis will be made available in accordance with Measure 3.1 (t).

### **Measure 11**

#### **(Requirements for the statement of reasons for responses to complaints)**

1. Responses to complaints shall be provided in a language that is readily comprehensible for the average user, addressing the reasons for the complaint identified by the user, and shall clearly specify:
  - a) whether the complaint is upheld or rejected on the established facts and applicable regulatory provisions;
  - b) whether the user is entitled to any compensation or reimbursement and, if so, when and how to obtain it;
  - c) the measures taken to resolve the reported service disruption and, if it has not yet been resolved, the expected timeline for resolution;
  - d) the remedies available to users if they find the response unsatisfactory, including the option to use out-of-court dispute resolution procedures, as regulated by the Authority.
2. In the context of interconnected motorway systems where tolls can be paid for the entire journey regardless of the number of concessionaires involved, if a complaint is rejected by one of the relevant concessionaires on the grounds of jurisdiction, that concessionaire shall promptly forward the complaint to the competent concessionaire. This must be completed no later than 30 days after receipt, while simultaneously informing the user. The competent concessionaire will then provide a reasoned response to the user within the timeframe specified in Measure 10.1 (c).
3. In cases of complaints concerning the services provided in the service areas, the concessionaire shall promptly forward the complaint to the competent service provider, ensuring that this is done no later than 30 days after receipt, while simultaneously informing the user. The service provider will then deliver a reasoned response to the user within the timeframe specified in Measure 10.1 (c).
4. The transmission referred to in (2) and (3) shall be carried out in compliance with the regulations on the protection of natural persons with regard to the processing of personal data.

**Measure 12**  
**(Compensation)**

1. In the event of no response to the complaint, or failure to reply within the time limits established in Measure 10.1 (c), or within the shorter time limits outlined in the service charters, or if the response is unreasoned, users are entitled to automatic compensation. This compensation, applicable even in the case of a subscription, is based on the total amount of tolls paid by the user for the relevant journey, which may be repeated, and shall be no less than:
  - a) 30% if the response is provided between the 31<sup>st</sup> and 60<sup>th</sup> day after receipt of the complaint;
  - b) 50% if the response is provided after the 60<sup>th</sup> day or if there is no response at all.
2. The compensation referred to in this measure is not due in the following cases:
  - a) the complaint is not submitted by the user in accordance with the procedures and minimum requirements outlined in Measure 10;
  - b) the user has already received compensation under this Measure for a similar complaint concerning the same journey.
3. Each motorway concessionaire shall establish procedures for managing claims and providing the compensation due, including updating its service charter as necessary. These procedures shall ensure that payments are made within reasonable timeframes, taking into account the available payment methods.

**Measure 13**  
**(Registration of complaints and data retention)**

1. Motorway concessionaires shall ensure that all complaints received are registered as part of the complaint-handling system, detailing the following for each complaint:
  - a) the identification details of the user and the journey;
  - b) the date of receipt of the complaint, as determined in accordance with Measure 10.4;
  - c) the grounds for complaint, including at least the following classification categories:
    - c.1) calculation of toll;
    - c.2) toll collection;
    - c.3) services provided in the service areas;
    - c.4) traffic and safety information;
    - c.5) information on construction sites;
    - c.6) relations with user and other information;
    - c.7) accessibility of services for PRM;
    - c.8) management of traffic disruptions;



- (c.9) infrastructure maintenance;
  - c.10) failure or inadequate payment of any refunds or compensation;
  - c.11) issue outside its jurisdiction;
  - d) the reasoned response to the complaint, including date of dispatch.
2. In compliance with regulations on the protection of natural persons with regard to the processing of personal data, motorway concessionaires shall retain the data related to the complaint, including the records referred to in (1), for a reasonable period, in any case not less than 24 months from the date of receipt of the complaint. This also applies to any requests for information made by the Authority in the exercise of its institutional responsibilities concerning the protection of users' rights.

#### **Measure 14**

##### **(Publication of data on the Authority's portal and final provisions)**

1. The Authority collects data from concessionaires related to these measures for publication on the Authority's data portal.
2. The measures outlined in this provision shall apply six months after their publication by the Authority, with the following exceptions:
  - a) Measures 3.1 (c), (d) and (i), 3.2, 4.1 (b) and (c), and 4.4 shall apply ten months after their publication by the Authority;
  - b) Measures 4.1 (a) and (d) and 4.3, which shall apply twelve months after their publication by the Authority. The integrated mobile application (dedicated app) referred to in measure 5.7 (c) shall also be made available within this timeframe;
  - c) the information referred to in Measures 3.1 (f), regarding average restoration time, (j) regarding toll collection lanes out of service for more than 24 hours, and (t) shall be provided by 1 February 2026, based on data collected in 2025;
  - d) the first reports referred to in Measure 5.8 and Measure 6.3 shall be submitted to the Authority by 31 March 2026, referencing activities conducted in 2025.
3. Pending the implementation of these measures, concessionaires shall ensure the retention of an information set that is at least as comprehensive in content and methodology as that currently available to users.

4. The actual total annual amounts resulting from the application of these measures shall be accounted for separately within the relevant toll charging systems, with differentiation between:
  - a) management costs;
  - b) reimbursements and compensations to users.

The actual total annual amounts paid to users for the compensation referred to under Measures 7.4 and 12.1, cannot be recovered by the motorway concessionaires through toll charges. These figures shall be reported to the Authority on an annual basis.