

EETS Domain Statement

Concerning the Danish Kilometer Tolling Scheme

[Registered in the Danish Toll System Register]

Version: 0.9

Date: 17 May 2023

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1 DOCUMENT HISTORY

Version	Date	Comment	Initials
0.8	10 February 2023	Draft version published to the EETS Provider for information and review purposes as part of the accreditation procedure.	MLBR
0.9	17 May 2023	Updated draft version published to the EETS Provider reflecting the current requirements for the accreditation procedure. Final version of the document is published once the KmToll Law is passed in Danish Parliament.	MLBR

2 DEFINITIONS AND ABBREVIATIONS

For the purpose of this EETS Domain Statement, the following lists of definitions and abbreviations apply:

"Addendum" means the Addendum to the EETS Provider Agreement, including appendices, describing the specific obligations applicable for the EETS Provider during the accreditation procedure to the Danish Kilometer Tolling Scheme.

"Annex" means the annexes to the EETS Domain Statement.

"Applicable EETS Legislation" shall have the meaning set out in section 3.1 and 6.6.

"Billing Details" means the detailed information sent from the Toll Charger to the EETS Provider to be used for invoicing of the EETS User.

"Black List" means the list of invalidated OBE shared between the EETS Provider and the Toll Charger.

"Dedicated Short Range Communication (DSRC)" means a wireless communication technology that enables vehicles to communicate with roadside equipment, without involving cellular or other infrastructure.

"European Electronic Toll Service (EETS)" means the toll service provided under a contract on one or more EETS Domains by an EETS Provider to an EETS User.

"EETS Domain" means a road, road network, a structure, such as a bridge or a tunnel, or a ferry, where tolls are collected using an electronic road toll system. The Danish EETS Domain of kilometer-based toll for trucks, can be referred to as **"KmToll Domain"** and covers the road network as set out in section 7.1.

"EETS Domain Statement" means the document setting out the general conditions for the EETS Provider for accessing a respective EETS Domain. This EETS Domain Statement are valid for the KmToll Domain.

"EETS Provider" means an entity which under a contractual agreement grants access to EETS to an EETS User, transfers the Tolls to the relevant Toll Charger, and which is registered by its Member State of establishment.

"EETS Provider Agreement" means the contractual agreement between Sund & Bælt Holding A/S and the EETS Provider regarding delivery of Services under the Danish Kilometer Tolling Scheme. The EETS Provider Agreement is also referred to as the **"Agreement"**.

"EETS User" means a natural or legal person (road user) who has entered into an agreement with the EETS Provider to access EETS in a specific EETS Domain.

"Global Navigation Satellite System (GNSS)" means any satellite constellation that provides positioning, navigation, and timing services on a global or regional basis.

"Heavy-duty vehicle" means a vehicle with a technically permissible maximum laden mass exceeding 3.5 tonnes, cf. Directive (EU) 2022/362 of 24 February 2022.

"Kilometer Tolling Scheme (KmToll Scheme)" means the overall solution that Sund & Bælt Holding A/S is appointed to provide, implement and operate on behalf of the Danish Ministry of Taxation, under the Law on kilometer-based toll ("Lov om vejafgift"), cf. section 6.4.

"Law on kilometer-based toll (KmToll Law)" means the Danish law ("Lov om vejafgift"), cf. section 6.4, which provides the domestic basis for introduction and regulation of kilometer-based toll in Denmark.

"Letter of Application" means the written application submitted by the EETS Provider to the Toll Charger with the aim of being accepted to the accreditation procedure under the Danish Kilometer Tolling Scheme. The Letter of Application must comply with specific requirements, cf. section 9.2.

"Main Service Provider" means a toll service provider with specific obligations, such as the obligation to sign contracts with all interested users, or specific rights, such as specific remuneration or a guaranteed long term contract, different from the rights and obligations of other service providers.

"Technically permissible maximum laden mass of the vehicle" means the maximum mass declared by the manufacturer of the vehicle, cf. Directive (EU) 2022/362 of 24 February 2022.

"On-board-equipment (OBE)" means the complete set of hardware and/or software components to be used as part of the toll service which is installed and/or carried on board a vehicle in order to collect, store, process and remotely receive/transmit data, either as a separate device or embedded in the vehicle.

"Services" means the EETS delivered by the EETS Provider to the EETS User pursuant to the terms and conditions of the EETS Provider Agreement with the Toll Charger.

"Toll" means a tax levied in relation with circulation a vehicle in the KmToll Domain, cf. the Law on kilometer-based toll ("Lov om vejafgift").

"Toll Charger" means Sund & Bælt Holding A/S, CVR no. 15 69 46 88, Vester Søgade 10, DK-1601 Copenhagen, Denmark. The Toll Charger can also be referred to as Sund & Bælt, S&B or similar.

"Toll Declarations" means the GPS positions including OBE identification data and vehicle data corresponding to the EETS Users' circulation within the KmToll Domain and which is collected by the EETS Provider, sent to the Toll Charger from the EETS Provider, and then used by the Toll Charger for the calculation of the Toll.

"Toll Ticket" shall have the meaning as set out in section 17.2.

"White List" means the list of valid OBE shared between the EETS Provider and the Toll Charger.

GENERAL INFORMATION

3 THIS DOCUMENT

- 3.1 This document is intended for the EETS Provider in the context of the Directive (EU) 2019/520 of the European Parliament and the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union, and the Commission Delegated Regulation (EU) 2020/203 and Commission Implementing Regulation (EU) 2020/204 of 28 November 2019 (the "**Applicable EETS Legislation**").
- 3.2 Denmark has enacted the Applicable EETS Legislation in the Danish Implementing Regulation "Bekendtgørelse - BEK nr. 1863 af 27. september 2021 "Bekendtgørelse om interoperabilitet mellem elektroniske vejafgiftssystemer og fremme af udvekslingen på tværs af landegrænser af oplysninger om manglende betaling af vejafgifter i Unionen"".
- 3.3 In order to provide Services under the KmToll Scheme, the EETS Provider must enter into an Agreement concerning delivery of Services and an Addendum concerning the EETS Provider's obligations during the accreditation procedure with the Toll Charger. Fulfilment of the requirements listed in this EETS Domain Statement forms the basis for the EETS Provider to conclude the Agreement and Addendum, thus deliver the Services under the KmToll Scheme.
- 3.4 The Toll Charger undertakes to inform the EETS Provider with sufficient notice of any changes and/or updates to the EETS Domain Statement and/or the Annexes. In addition, the EETS Provider is obliged to keeping itself informed of any change and/or updates. In the event of amendments to the legal and regulatory framework conditions and/or the rendering of the EETS, which underlie these provisions, the provisions shall be adapted for the KmToll Scheme accordingly.
- 3.5 **Annexes to the EETS Domain Statement**

Annexes to this document constitute an integral part of it, why the Annexes and this document shall be read in conjunction.

An overview of Annexes to this EETS Domain Statement and other documents relevant for the EETS Provider can be found in Annex Z (Overview of Documents and Annexes).

4 THE TOLL CHARGER

- 4.1 Sund & Bælt Holding A/S is the Toll Charger responsible for collection of Toll under the KmToll Scheme.
- 4.2 Sund & Bælt Holding A/S is a state-owned limited company. Sund & Bælt Holding A/S is entrusted by the KmToll Law, cf. section 6.4 with the administration of the KmToll Scheme. The tolled road network governed by the KmToll Scheme is detailed in section 7.
- 4.3 **Contact information**

Sund & Bælt Holding A/S
Att: Service Delivery Management (Vejafgifter)
Vester Søgade 10
1601 Copenhagen V
Denmark
Tel +45 33 93 52 00
EETS-KmToll@sbf.dk

5 CONCILIATION BODY

- 5.1 The Danish Road Directorate ('Vejdirektoratet') is the relevant Conciliation Body relating to disputes with regards to the EETS Service.

- 5.2 The procedure for conciliation of disputes between the Toll Charger and the EETS Provider is found at the Danish Road Directorate's website.
- 5.3 The Danish Road Directorate operates the Danish Toll System Register. The register can be found at <https://www.vejdirektoratet.dk/side/eets-english-version>.

5.4 **Contact information**

Vejdirektoratet
Carsten Niebuhrs Gade 43, 5. Sal
1577 Copenhagen V
Denmark
Phone +45 72 44 33 33
www.vd.dk/eets

6 LEGAL AND REGULATORY FRAMEWORK

- 6.1 The legal and regulatory framework which the KmToll Scheme are subject to is presented below. For every legal and regulatory text mentioned, a hyperlink to the text of the official publication is included.
- 6.2 The Toll Charger and the EETS Provider are at all times responsible for their own compliance of any other relevant legislation which might not be explicitly mentioned in this section.
- 6.3 In the event of changes to the legal and regulatory framework and/or any other applicable legislation, the latest version of these will always apply regardless of whether this EETS Domain Statement has been updated.

6.4 **Law on kilometer-based toll ("Lov om vejafgift")** (only available in Danish)

Introduction of kilometer-based toll for trucks takes place by means of the Law on kilometer-based toll no. [xx.xx]. This law provides the domestic basis for introduction and regulation of kilometer-based toll in Denmark.

[A hyperlink will be provided when the law is passed in the Danish Parliament]

6.5 **Law on Sund & Bælt Holding A/S ("Lov om Sund & Bælt Holding A/S")** (only available in Danish)

The law on Sund & Bælt Holding A/S no. [xx.xx] establishes the legal framework for carrying out the activities imposed on the company by or under Danish law. The law is intended to ensure, among others, performance of the company's duties under the Law on kilometer-based toll which includes the obligation to carry out the registration, processing, disclosure, etc. of personal data necessary for the company to perform its role as Toll Charger in accordance with the Data Protection Act.

[A hyperlink will be provided when the law is passed in the Danish Parliament]

6.6 **Applicable EETS Legislation**

6.6.1 The EETS Directive

Directive (EU) 2019/520 of the European Parliament and of the Council of 19 March 2019 on the interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union.

[EUR-Lex - 32019L0520 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eli/dir/2019/520/oj)

6.6.2 Commission Delegated Regulation

Commission Delegated Regulation (EU) 2020/203 of 28 November 2019 on classification of vehicles, obligations of European Electronic Toll Service users, requirements for interoperability constituents and minimum eligibility criteria for notified bodies.

[EUR-Lex - 32020R0203 - EN - EUR-Lex \(europa.eu\)](#)

6.6.3 Commission Implementing Regulation

Commission Implementing Regulation (EU) 2020/204 of 28 November 2019 on detailed obligations of European Electronic Toll Service providers, minimum content of the European Electronic Toll Service domain statement, electronic interfaces, requirements for interoperability constituents and repealing Decision 2009/750/EC.

[EUR-Lex - 32020R0204 - EN - EUR-Lex \(europa.eu\)](#)

6.6.4 BEK nr. 1863 af 27. September 2021 (only available in Danish)

The Regulation (BEK nr. 1863 af 27. September 2021) constitutes the Applicable EETS Legislation incorporated into Danish legislation. The Applicable EETS Legislation has been uniformly incorporated into Danish legislation with minor adaptations only where allowed within the Applicable EETS Legislation.

<https://www.retsinformation.dk/eli/lta/2021/1863>

6.6.5 The Eurovignette Directive

Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022, amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520, as regards the charging of vehicles for the use of certain infrastructures.

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2022:069:FULL&from=EN>

6.7 Danish contact point for EETS-related matters

Information on how the Danish authorities carry out the supervisory tasks imposed on Denmark by the EETS Directive.

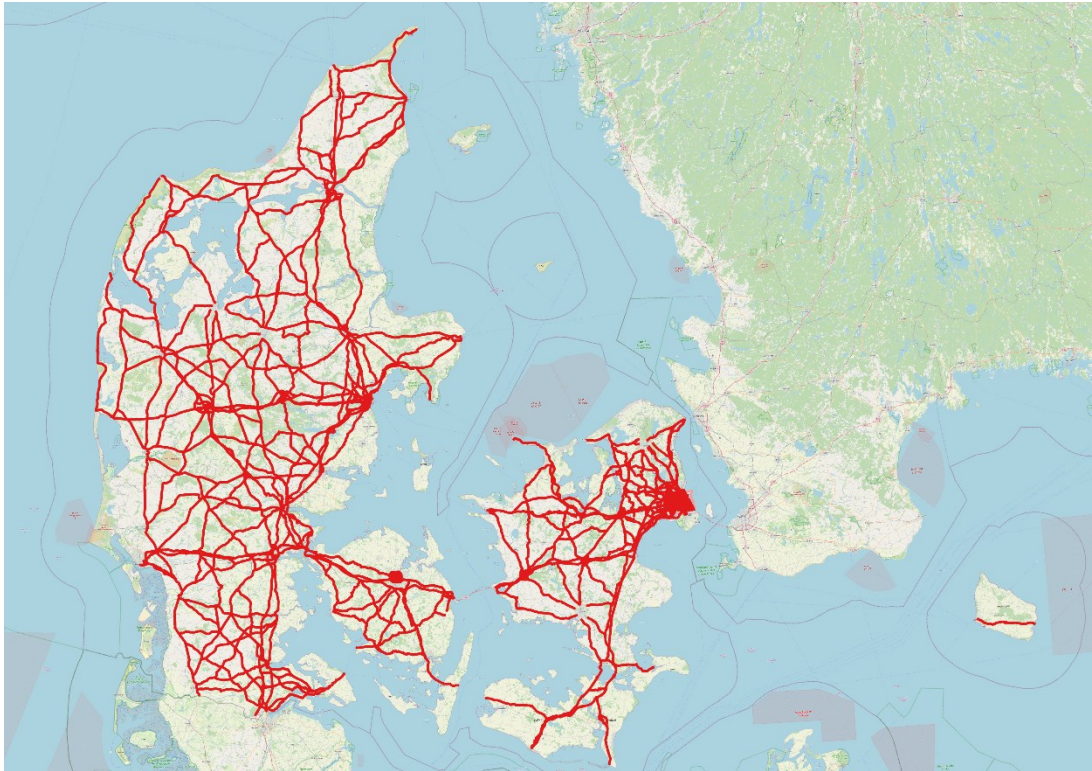
<https://www.vejdirektoratet.dk/eets>

7 THE TOLL DOMAIN

7.1 The tolled road network will comprise approximately [10,900] km which includes the state road network (approx. [4,600] km, including approx. [1,300] km of motorways) and parts of the municipal road network (approx. [6,300] km, including approx. [1,000] km in Low Emission Zones), for a period of three years from 1 January 2025 (the "**KmToll Domain**"). It should be noted that the KmToll Domain may be subject to minor adjustments during the period. The roads covered are shown in Figure 1.

7.2 From 1 January 2028, the KmToll Domain will be extended to cover the entire public road network, totalling approximately 75,000 km.

Figure 1. The tolled road network in Denmark (KmToll Domain)



7.3 The Toll Charger provides a detailed map of the KmToll Domain including the road segments subject to tariff in Annex A (Tolled Road Network).

8 THE TOLL

8.1 Nature of the toll and levy principles

The toll is:

- (i) A tax excluding VAT;
- (ii) Differentiated according to the Eurovignette Directive (EU) 2022/362 as a combination of infrastructure cost and external costs like CO2 emissions, noise and air pollution; and
- (iii) Applicable 24/7 throughout the calendar year without exceptions.

8.2 Vehicles covered and vehicle classes

Heavy-duty vehicles with a technically permissible maximum laden mass of 12,000 kg or more are subject to payment of Toll in the KmToll Domain.

Heavy-duty vehicle with a technically permissible maximum laden mass of between 3,500 kg and 12,000 kg will be subject to payment of Toll in the KmToll Domain from 1 January 2027.

The following vehicles are exempt from paying Toll in the KmToll Domain:

- (i) Vehicles belonging to the armed forces and national emergency services;
- (ii) Vehicles specifically adapted for fire-fighting and rescue operations and used exclusively for such operations, and vehicles belonging to and used exclusively by emergency services and not used commercially in competition with commercial undertakings;

- (iii) Vehicles belonging to the police; and
- (iv) Vehicles belonging to the road services.

Vehicles are only considered exempt if they are recognisable from the outside as being intended for the purposes listed in (i) – (vi). For vehicle combinations, it is the motor vehicle that determines whether the combination is exempt.

For any deviation between the list of exempt vehicles in this EETS Domain Statement and the KmToll Law, Article 1(2) of the KmToll Law prevails.

8.3 **Tariff structure**

The tariff structure will be differentiated according to the following criteria:

- (i) Technically permissible maximum laden mass of the vehicle;
- (ii) CO₂ emissions of the vehicle based on their CO₂ emission class; and
- (iii) Whether the vehicle have been circulating outside or inside a Low Emission Zone in Denmark.

The tariff structure will change and the Toll rates increase from 2028 in connection with the expansion of the tolled road network. Furthermore, the tariff structure may be subject to adjustments every year in connection with a yearly review of the tolled road network in the KmToll Law.

The tariff structure and prices can be found in Annex B (Tariff Table).

ACCREDITATION PROCEDURE

9 APPLICATION AND PRECONDITIONS

- 9.1 It is a precondition that, before filing its application, the EETS Provider is registered in one of the EU Member States and complies with the requirements as set out in the Applicable EETS Legislation and other relevant legislation.
- 9.2 An EETS Provider who wants to provide its Services under the KmToll Scheme shall send an official Letter of Application to the Toll Charger. The Letter of Application shall include information regarding:
 - (i) The identity of the EETS Provider, including company registration number;
 - (ii) The name and contact details of the person responsible for the follow-up of the accreditation procedure on behalf of the EETS Provider;
 - (iii) The EETS registration status, proving the actual registration as an EETS Provider in one of the EU Member States by means of an extract of the respective EETS National Register and/or any additional documentation providing such evidence; and
 - (iv) A list of the OBE that the EETS Provider intend to make available to its customers for the use within the KmToll Domain.

An EETS Provider can submit its Letter of Application to the Toll Charger via the e-mail address EETS-KmToll@sbf.dk.

Further information regarding the application and evaluation procedure under the KmToll Scheme is described in Annex C (Accreditation Procedure).

10 CONTRACTUAL RELATIONSHIP

- 10.1 An EETS Provider who wants to provide Services under the KmToll Scheme shall enter into a contractual relationship with the Toll Charger, which constitute the framework for the cooperation between the Toll Charger and the EETS Provider.
- 10.2 The contractual relationship consists of an Agreement concerning delivery of Services and an Addendum concerning the EETS Provider's obligations during the accreditation procedure.
- 10.3 The Toll Charger requires that the EETS Provider signs the Agreement and the Addendum early in the accreditation procedure. The reason for this, is that the Toll Charger expects that the EETS Provider devotes the necessary resources and demonstrates commitment in order to meet the established time schedule for the accreditation procedure. The procedure for the conclusion of the Agreement and Addendum is detailed in Annex C (Accreditation Procedure).
- 10.4 Any participation fee and/or deposit to be paid by the EETS Provider to the Toll Charger as part of the accreditation procedure, and/or to cover payment for time and resources provided by the Toll Charger is regulated in the Agreement and Addendum.

11 MAIN STEPS OF THE ACCREDITATION PROCEDURE

- 11.1 The main steps of the accreditation procedure under the KmToll Scheme are as follows:
- (i) The Toll Charger receives and evaluates the EETS Provider's application;
 - (ii) The Toll Charger and the EETS Provider conclude the Agreement and the Addendum;
 - (iii) The Toll Charger shares detailed test planning with the EETS Provider, and the parties collectively prepare for testing;
 - (iv) Suitability for use tests are performed for the OBE and IT interfaces provided by the EETS Provider to demonstrate compliance with the EETS Domain specific requirements;
 - (v) A pilot test under operational-like conditions takes place between the Toll Charger and the EETS Provider before moving into operation; and
 - (vi) The EETS Provider demonstrates performance according to key performance indicators and service levels as required by the Toll Charger in order to conclude and pass the accreditation procedure.
- 11.2 As part of step (ii), conclusion of the Agreement and the Addendum, the EETS Provider are required to pay a participation fee of DKK 500,000. Furthermore, the EETS Provider shall pay a deposit of DKK 1,000,000 for participating in the accreditation procedure. Payment of the participation fee and deposit shall take place according to the terms of the Addendum.
- 11.3 The procedure for assessment of the conformity to specifications and the suitability for use tests, as well as, the indicative time schedule of the accreditation procedure are described in Annex C (Accreditation Procedure).

12 RECERTIFICATION

- 12.1 Requirements for recertification and retesting are described in Annex H (Testing).

RIGHTS AND OBLIGATIONS BETWEEN THE EETS PROVIDER AND THE TOLL CHARGER

13 THE EETS PROVIDER'S RESPONSIBILITY

- 13.1 The EETS Provider has the contractual relationship with the EETS Users. Consequently, the EETS Provider is responsible for and carries the risks associated with the collection of the Toll and the EETS Provider is liable for the payment of the Toll to the Toll Charger.

13.2 The EETS Provider shall, at an agreed frequency, provide Toll Declarations to the Toll Charger, when the EETS User is circulating in the KmToll Domain, as well as Black Lists and White Lists that can be used to identify the OBE of the EETS User in accordance with requirements in Annex E (Technical Conditions) and Annex F (Interface Specifications).

13.3 The EETS Provider shall be responsible for all costs incurred in ensuring their system is compliant with the KmToll Domain, and to the testing and certification of the EETS Provider's OBE and its IT interfaces. During operation the EETS Provider shall adapt its system at its own expense to comply with any technical modifications and/or other changes necessary for a proper working system and otherwise in accordance with the Agreement between the EETS Provider and the Toll Charger.

14 HANDLING OF EETS USERS

14.1 The EETS User shall exclusively be handled by the EETS Provider based on the agreement the EETS Provider has with the EETS User. The EETS Provider must ensure that the handling of the EETS User complies with relevant legislation and with the service conditions, cf. Annex I (Service Conditions).

14.2 The EETS Provider shall provide the EETS User with all relevant information, including (i) information on specific EETS User requirements regarding use of the Services, (ii) the EETS User's obligations under the Applicable EETS Legislation, and (iii) that the EETS User's payment of Toll to the EETS Provider shall be deemed to fulfil the EETS User's payment obligation to the Toll Charger.

14.3 The EETS Provider shall provide the EETS Users with an OBE duly approved as being compliant with applicable legislation, this EETS Domain Statement including Annexes and the Agreement between the EETS Provider and the Toll Charger.

14.4 The EETS Provider is obliged to duly inform the EETS User about valid means of payment and, in accordance with Regulation (EU) 2016/679, about the processing of the EETS User's personal data and the rights stemming from applicable legislation on the protection of personal data.

14.5 In order to secure the EETS User's rights as described in the KmToll Law, any complaint from the EETS User regarding the Toll shall be handled by the EETS Provider according to the complaint handling procedure described in Annex I (Service Conditions).

14.6 In cases where a penalty charge notice is issued to the EETS User, the possible objections are to be solved between the EETS User and the Danish Road Traffic Authority. Information on lodging a complaint concerning a penalty charge notice is found on the Toll Charger's official website for the KmToll Scheme. The Toll Charger is solely responsible for forwarding the complaint, which is processed and settled by the Danish Road Traffic Authority.

15 GUARANTEE OR DEPOSIT

15.1 The EETS Provider may be required to provide an unconditional and irrevocable guarantee or deposit. The terms and conditions for the unconditional and irrevocable guarantee or deposit are regulated in the Agreement between the Toll Charger and the EETS Provider.

15.2 Based on the principles in Commission Implementing Regulation (EU) 2020/04, Annex II, section 1.1 (c) the amount of the unconditional and irrevocable guarantee or deposit shall not exceed the average monthly toll transaction amount paid by the EETS Provider for the KmToll Domain.

(i) The amount shall be determined based on the total toll transaction amount paid by the EETS Provider for the KmToll Domain in the previous year.

(ii) If the EETS Provider is new at the Toll Charger, the amount shall be based on the expected average monthly toll transactions payable by the EETS Provider for the KmToll Domain within the invoicing period based on the number of contracts and average toll per contract estimated in the EETS Provider's business plan for the KmToll Domain.

- 15.3 The EETS Provider may suggest alternative solutions to provide payment security, but the Toll Charger is not obliged to accept this alternative solution. Invoicing frequency may also be included in the alternative solution. Acceptance of alternatives will, among other things, be based on the creditworthiness of the EETS Provider and the associated costs.

16 REMUNERATION

- 16.1 The EETS Provider receives a fixed percentage from the Toll Charger of the value of payments made by the EETS Provider to the Toll Charger in a calendar month.
- 16.2 As additional remuneration the EETS Provider receive a fixed fee from the Toll Charger per active OBE which have been detected circulating in the KmToll Domain within a calendar month.
- 16.3 The remuneration model including terms and calculation of the remuneration are detailed in Annex D (Remuneration).
- 16.4 Remuneration is paid by the Toll Charger to the EETS Provider starting from the date from when the EETS Provider is approved by the Toll Charger to deliver its Services in the KmToll Domain.
- 16.5 The remuneration paid to the EETS Provider may be subject to reduction depending on the EETS Provider's ability to fulfil the performance levels required by the Toll Charger. These conditions are further described in Annex G (Key Performance Indicators).

17 SERVICES PROVIDED BY THE TOLL CHARGER

- 17.1 The Toll Charger provides and maintains a website describing the Services and the Toll Domain. This includes, among others, description of the type of collection system, the prices for each toll segment and the description of signs. The website will, as a minimum, be available in Danish and English.
- 17.2 Furthermore, the Toll Charger provides a fallback solution by means of a route-based toll ticket which can be purchased on the website (the "**Toll Ticket**").

18 THE MAIN SERVICE PROVIDER'S RESPONSIBILITY

- 18.1 The Toll Charger does not have a Main Service Provider. All Services under the KmToll Scheme shall be provided by EETS Providers on non-discriminatory terms regulated by the Agreement between the EETS Providers and the Toll Charger.

FINANCIAL SETTLEMENT

19 INVOICING POLICY

- 19.1 The EETS Provider shall issue an invoice to the EETS User where Sund & Bælt Holding A/S' name shall be included as payment information for the purpose of collecting the Toll under the KmToll Law. The terms regarding invoices must be fully compliant with the invoice requirement stated in the EETS Directive and Commission Implementing Regulation (EU) 2020/204 Article 2(6).
- 19.2 Basis for settlement between the Toll Charger and the EETS Provider is the transaction lines sent from the Toll Charger to the EETS Provider and accepted by the EETS Provider according to the technical definitions, cf. Annex F (Interface Specification).

General terms for invoices:

Currency	DKK
Invoice language	Danish or English

Invoicing frequency From a weekly basis and up to a monthly basis depending on EETS Provider's financial rating from the rating agency Dun & Bradstreet. For more details, see the Agreement.

- 19.3 The Toll Charger is entitled to invoice the EETS Provider for all valid toll transactions regardless of the EETS Provider having received payment from the EETS User.

20 PAYMENT POLICY

- 20.1 Payment terms for settlement between the Toll Charger and the EETS Provider are either "on the 15th day of the month", or "the 7th day of the following week" depending on the EETS Provider's financial rating from the rating agency Dun & Bradstreet. Payment due date will always be stated clearly on the invoice sent to the EETS Provider. For more details, see the Agreement.

TECHNICAL CONDITIONS

21 TECHNOLOGY AND TOLL TRANSACTION POLICY

- 21.1 Toll collection in the KmToll Scheme is based on GNSS technology with a Section Autonomous charging profile with Toll Charger dominance as defined in EN 16986:2023.
- 21.2 The Toll Charger is responsible for calculation of the Toll including tariffing based on Toll Declarations sent by the EETS Provider to the Toll Charger. The Toll Charger calculates the Toll based on Toll Declarations once a day and returns Billing Details specifying the calculated Toll and details. Billing Details are to be used for invoicing of the EETS Users by the EETS Provider. Detailed specification of the technical solution is found in Annex E (Technical Conditions).
- 21.3 Data will be exchanged between the systems of the EETS Provider and the tolling platform of the Toll Charger according to EN 16986:2023. Detailed interface specifications including specifications on the format and content of the toll transaction data, and configuration can be found in Annex F (Interface Specifications).

22 APPLICABLE STANDARDS

- 22.1 Applicable standard for OBE with DSRC is EN 15509:2023 and ISO 12813:2022.
- 22.2 Applicable standard for the interface between the Toll Charger and the EETS Provider is EN 16986:2023.

23 OBE REQUIREMENTS

- 23.1 The Toll Charger undertakes to accept the OBE issued and/or managed by the EETS Provider, if the OBE fulfills the requirements of the Toll Charger.
- 23.2 Two types of OBE are allowed on the KmToll Domain; OBE Type 1 supporting DSRC according to EN 12813:2022 and 15509:2023 and OBE Type 2 without DSRC according to requirements defined by the Toll Charger. For detailed description of OBE requirements and DSRC interface requirements, please refer to Annex E (Technical Conditions).
- 23.3 The proof of conformity of the OBE according to Article 15 of Directive EU/2019/520 shall be provided by the EETS Provider in the format of a manufacturer's declaration of conformity to specification as defined in the Applicable EETS Legislation. Further details concerning the procedure for evaluating conformity to specification are described in Annex H (Testing).
- 23.4 The required proof of suitability for use shall be provided by means of suitability for use tests. Procedure for the suitability for use test are described in Annex H (Testing) and the indicative time schedule in Annex C (Accreditation Procedure). The suitability for use tests must take into account

the type and degree of personalisation of the OBE carried out by the EETS Provider in accordance with requirements in Annex E (Technical Conditions).

24 SECURITY FRAMEWORK

- 24.1 The applicable security framework for back-office interfaces is defined in Annex F (Interface Specifications).
- 24.2 For OBE with DSRC, security level 1 is required. Please refer to Annex E (Technical Conditions) for details on DSRC key management.

25 ENFORCEMENT

- 25.1 The Toll Charger is responsible for the operational enforcement procedure related to the collection of Toll. The operational enforcement procedure is based on control of the EETS User circulating on the tolled road network. Control is primarily based on exchange of Black Lists of invalid OBE, and White Lists of valid OBE, according to specifications in Annex E (Technical Conditions).
- 25.2 If the Toll Charger, based on control of the EETS User, consider the EETS User to be a potential violator, the Toll Charger will forward the case to the Danish Road Traffic Authority. The Danish Road Traffic Authority will then decide whether to issue a penalty charge notice to the EETS User. Any objection over a penalty charge notice is to be solved between the EETS User and the Danish Road Traffic Authority, cf. section 14.6.
- 25.3 The EETS Provider shall assist the Toll Charger without undue delay with the exchange of information regarding an EETS User in order for the Toll Charger to handle the enforcement procedures effectively.

26 MONITORING AND REPORTING

- 26.1 During operation service management shall be provided in close cooperation between the Toll Charger and the EETS Provider. The EETS Provider must monitor the quality of the Services and report accordingly to the Toll Charger. The service conditions applying to the EETS Provider during operation are detailed in Annex I (Service Conditions).
- 26.2 The quality of the performance of the EETS Provider is monitored continuously based on a number of key performance indicators (the "**KPIs**"). This is done according to the Agreement between the EETS Provider and the Toll Charger.

The KPIs include (but are not limited to) that the EETS Provider must comply with performance measurements within the following categories:

- (i) Data exchange
- (ii) Availability
- (iii) Service

For detailed information regarding performance measurements please refer to Annex G (Key Performance Indicators).

- 26.3 The Toll Charger is at all times entitled to audit the EETS Provider in order to verify that the EETS Provider fulfils its obligations under the Agreement. The Toll Charger is entitled to ask for any supporting documentation from the EETS Provider in this regard.
- 26.4 The Toll Charger shall announce an audit at least fifteen (15) Business Days in advance. An audit will, unless otherwise agreed, take place on regular Business Days.