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Press release 9/2021

BfDI criticizes changes to the Federal Highway Toll Act

The BfDI criticizes the change in the second law introducing the European electronic toll service. In the future, toll data will be used to track so-called cabotage violations. The BfDI considers this a breach of the dam: using the toll data in this way no longer has anything to do with the original purpose for which it was collected.

Professor Kelber also points to the solution that is already planned: by 2026 at the latest, every vehicle should be equipped with an intelligent version 2 tachograph if it is used in cross-border freight transport. This would enable efficient identification of breaches of the cabotage regulation. It is incomprehensible why the repeatedly promised earmarking of the toll data should be lifted by then. The toll data is also only of limited use for tracking violations.

On May 20, the Bundestag passed the second law to amend toll regulations with regard to the introduction of the European electronic toll service. For the first time, the law breaks through the strict earmarking for toll data from the Federal Highway Toll Act. Registered number plates and position data for toll collection should be allowed to be used in the future to determine cabotage violations.

Cabotage is the domestic transport of goods by companies from other EU Member States. After a cross-border carriage, vehicles should in principle only carry out three domestic carriages of goods within seven days in the host Member State.

Member States usually check bills of lading and tachographs to ensure compliance with the law. The regulations also apply to vehicles that are not subject to tolls.

contact finder

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public bodies

The term public body not only includes the traditional administrative authorities, but also courts, parliaments and public foundations. This also includes social insurance, such as health insurance.

company

Private companies are mostly supervised by state authorities, but there are some exceptions. Private organizations such as clubs and associations also fall into this category.

Press, radio, church

Special responsibilities apply in these areas. Churches and public broadcasters have e.g. B. via their own data protection officers. The federal and state supervisory authorities are not responsible for other organizations either.