

Local Authority General Code

Legislative Section

Part II: Communes

Book III: Communal Finances

Title III: Income

Chapter III: Taxes, fees, or payments not provided by the general tax code

Section 8: Payment for the financing of mobility services

Article L. 2333-64

I. Outside the Île de France region, all physical and legal persons, public or private, with the exception of foundations and associations recognized as non-profit public utilities¹ with activity of social value, and intermediary associations², may be subject to a payment intended for the financing of mobility services if they employ at least eleven employees:

- 1° In any commune or urban community with a population greater than 10,000 or, in both cases, where the population is less than 10,000 and the territory contains one or more communes classified as touristic communes per Article L. 133-11 of the tourism code³
- 2° Within the jurisdiction of an intercommunal public cooperation⁴ lead by the mobility organization, where the combined population of the member communes reaches the indicated threshold;
- 3° Within a jurisdiction of a metropolis or the Lyon metropolitan area, subject to the provisions provided in Article L. 5722-7-1.⁵

For the application of section (I.), the employed workforce, in each of the areas where a payment intended for the financing of mobility services is in effect and the threshold of at least eleven employees is reached, will be counted according to the terms provided in Article L. 130-1 of the social security code⁶.

II. - IV. - (Repealed)

Article L. 2333-65

The financial basis for the payment intended for the financing of mobility services constitutes the earned income as it is counted for determining employer health insurance contributions and the financing of basic health insurance plans. The tax is collected under the same conditions and under the same guarantees as the aforementioned contributions.

Article L. 2333-66

The payment intended for the financing of mobility services is established by resolution from the municipal government or the effective public body that organizes at least one of the services mentioned in Section I. of article L. 1231-1-1 of the transport code⁷. The resolution that establishes the payment or modifies the rate lists the mobility services, preexisting or planned, which justify the rate of taxation.

Article L. 2333-67

The rate of the payment is set or modified by resolution from the municipal government or the effective public body that organizes at least one of the services mentioned in section I. of article L. 1231-1-1 of the transport code⁷ with the limits being:

- 0.55% of wages⁸ as defined in article L. 2333-65 when the population of the commune or public establishment is between 10,000 and 100,000 inhabitants;
- 0.85% of wages as defined in article L. 2333-65 when the population of the commune or public establishment is between 50,000 and 100,000 inhabitants and where the organizing mobility authority has decided to build public transit infrastructure on its own land. If the corresponding work has not started within a maximum delay of five years counted from the date of the rate increase for the tax, the rate for the sixth year will return to the maximum of 0.55%;
- 1% of wages as defined in article L. 2333-65 where the population of the commune or public establishment is greater than 100,000 inhabitants;
- 1.75% of wages as defined in article L. 2333-65 where the population of the commune or public establishment is greater than 100,000 inhabitants and where the organizing mobility authority has decided to build public transit infrastructure on free road or guided track.⁹ If the corresponding work has not started within a maximum delay of five years counted from the date of the rate increase for the tax, the rate for the sixth year will return to the maximum of 1%. However, this period starts on the 1st of January 2004 for locales where the tax rate increase of greater than 1% was set prior to this date.

However, communities of communes and agglomeration communities⁴ have the ability to increase the maximum rates mentioned in the previous paragraphs by 0.05%.

This ability is also available to:

- Urban communities;
- Metropolises;
- Organizing mobility authorities that represent communities of communes, agglomeration communities, an urban community, and
- the organizing mobility authority of Lyon.

In territories that contain one or more communes classified as touristic communes per article L. 133-11 of the tourism code³ the applicable rate can be increased by 0.2%.

In communes and public establishments for mobility organization where the population is less than 10,000 and the territory comprises of one or more communes classified as touristic per article L. 133-11 of the tourism code, the tax rate is limited to 0.55% of the wages as defined in article L. 2333-65.

In the event of an expansion of the perimeter of an intercommunal cooperation public establishment with its own tax system, or a mixed syndicate representing a public establishment of an intercommunal cooperation with its own tax system, the rate of the payment towards mobility services applicable in the included communes of the territory could be reduced to, or set to zero, by the organizing body for a maximum of twelve years starting from the date of effect, compared to the applicable rate in other communes of the territory, if the payment towards mobility services was not established in newly included communes or was established at a lower rate. The adopted rate for these communes and intercommunal cooperation public establishments can not be lower than the rate that was applicable to them the year preceding the growth of perimeter. These provisions are applicable during the merging of intercommunal cooperation public establishments.

The provisions of the preceding paragraph apply to communes under the jurisdiction of an organizing mobility authority resulting either from the creation of an intercommunal cooperation with its own tax system, the merging of intercommunal cooperations with their own tax systems, or from the transfer of mobility organizing powers to an intercommunal cooperation with its own tax system of which they are members of. The provisions also apply equally to the organizing mobility authorities of the Lyon area territories, upon creation as well as in the event of the acceptance of a new member.

Any change in the tax rate comes into effect on the 1st of January or the 1st of July of each year; the decision to set the new rate is sent by the organizing mobility authority to the collecting agencies before, respectively, the 1st of November or the 1st of May each year. The collection agencies communicate the new rate to taxable persons no later than one month after the referenced dates.

Article L. 2333-68

Subject to the provisions in articles L. 2333-70 and L. 5722-7-1⁵, the payment is allocated to the funding of capital expenditures and the operation of public urban and non-urban transit within the jurisdiction of the organizing mobility authority and organized by this authority, and other public transport services which, despite not being entirely within the jurisdiction of the organizing mobility authority, contribute to serving the region under a contract passed with the responsible organizing mobility authority. The payment is also allocated to the funding of capital expenditures and operation of any relevant investment within the jurisdiction of the organizing mobility authorities as described in articles L. 123-1 and L. 1231-1-1 of the transport code⁷.

Article L. 2333-69

I. Employers referenced in article [L. 2333-64](#) are required to make the payments mentioned in this article to the services responsible for the collection of social security and child benefits following the rules of collection, litigation, and penalties applicable to the various social security agencies.

The aforementioned agencies and organizations deduct a recovery fee for the amount recovered.

II. The government deducts, from the payment provided in [L. 2333-64](#), a share determined in proportion to the number of active military personnel who receive guaranteed permanent workplace accommodation or free public transport by the administration.

Article L. 2333-70

I. The proceeds of the tax are paid into the municipal budget of the commune or public establishment that will reimburse the effective payments:

- 1° To employers that provide guaranteed permanent workplace accommodation or free public transportation for all employees, or only to certain employees, proportional to the number of employees with permanent housing or free transportation.
- 2° To employers with employees employed within urban planning boundaries of new towns or certain commercial or industrial zones, specified in urban planning documents, where the boundaries are designated by the resolution mentioned in [L. 2333-66](#).

The provisions in section I. apply to the Lyon metropolitan area subject to the provisions of article L. 5722-7-1.⁵

II. The central agency for social security organizations, or the collection agency, will provide annually the data and information collected during the collection of the contributed payment intended for the financing of mobility services to the communes or public territorial establishments who request it.

The information provided to communes or public establishments are covered by professional secrecy.

The provisions in section II. equally apply to the Lyon metropolitan area subject to the provisions of article L. 5722-7-1.

The terms of the application in section II. shall be determined by decree from the Conseil d'Etat.

Article L. 2333-71

Communes or public establishments shall distribute the balance, minus the deduction for the costs of reimbursements and recovery, to the functions and utilities defined in article [L. 2333-68](#).

The provisions in this article apply to the Lyon metropolitan area subject to the provisions of article L. 5722-7-1⁵.

Article L. 2333-72

Disputes regarding the reimbursements are to be brought before the administrative jurisdiction.

Article L. 2333-73

Demands for reimbursement of the payment intended for the financing of mobility services are limited to a period of two years starting from the date on which the payment was made.

Article L. 2333-74

Communes or public establishments are authorized to carry out necessary controls over the application of articles [L. 2333-69](#), [L. 2333-70](#), and [L. 2333-71](#).

The Lyon metropolitan area or, where applicable, the organizing mobility authority for the Lyon area territories is also authorized to carry out, within its perimeter, controls of the same nature.

Article L. 2333-75

Decrees establish, as necessary, the modes of application of articles L. 2333-64 to L. 2333-74 to adapt them to the rules of the social security regimes.

Local Authority General Code

Legislative Section

Part II: Communes

Book V: Special Provisions

Title III: Communes of the Île de France Region

Bonus Chapter: Financial provisions

Section 1: Payment for the financing of mobility services

Article L. 2531-2

I. In the Île de France region, all physical and legal persons, public or private, with the exception of foundations and associations recognized as non-profit public utilities¹ with activity of social value, and intermediary associations², are¹⁰ subject to a payment intended for the financing of mobility services if they employ at least eleven employees.

For the application of section I, the employed workforce, in each of the areas where a payment intended for the financing of mobility services is in effect and the threshold of at least eleven employees is reached, will be counted according to the terms provided in Article L. 130-1 of the social security code⁶.

II. - IV. - (Repealed)

Article L. 2531-3

The financial basis for the payment intended for the financing of mobility services constitutes the earned income as it is counted for determining employer health insurance contributions and the financing of basic health insurance plans. The tax is collected under the same conditions and under the same guarantees as the aforementioned contributions.¹¹

Article L. 2531-4

The rate of the payment, expressed as a percentage of wages⁸ defined in Article L. 2531-3 is set by Île de France Mobilités¹² with the limits being:

1° 3.20% in Paris and in the departments Hauts-de-Seine, Seine-Saint-Denis, and Val-de-Marne;

1° bis (Repealed);

2° 2.01% in communes, not counting Paris and the communes within the departments of Hauts-de-Seine, Seine-Saint-Denis, and Val-de-Marne, where the list has been drawn by the Conseil d'État with input from Île de France Mobilités, taking into account the perimeter of the Paris Urban Unit¹³ as defined by the National Institute of Statistics and Economic Studies (Insee);

3° 1.5% in the other communes of the Île de France region.

Any change in the tax rate comes into effect on the 1st of January or the 1st of July of each year; the decision to set the new rate is sent by Île de France Mobilités to the collecting agencies before, respectively, the 1st of November and the 1st of May each year. The collection agencies communicate the new rate to the taxable persons no later than one month after the referenced dates.

By derogation from the penultimate paragraph of this article, the rates of the payment intended for the financing of mobility services applicable in 2024 are set by deliberation of the board of directors of Île de France Mobilités during the meeting following the publication of the law 2023-1322 on the 29th of December 2023 for the financial year of 2024, with effect from the first day of the second month following this deliberation.

Article L. 2531-5

Subject to the provisions in Article L. 2531-7, the payment is allocated to the funding of capital expenditures and the operation of regular public passenger transportation provided in the region of Parisian transport.

Île de France Mobilités can also contribute its resources from this payment to the financing of:

- measures to apply pricing policy applicable to the services mentioned in paragraph 1° section I. of article L. 1241-1 of the transport code¹⁴;
- investments and operating expenses for any and all actions relevant to the organizing of mobility as defined in the same article L. 1241-1;
- as an ancillary measure within the agreed conventions between the organization and its managers, operating expenses for work and equipment allocated to transport mentioned in the mobility plan such as bus stations, park and ride stations, and transfer centers corresponding to different modes of transportation;
- operations promoting the combined usage of public transit and cycling.

Article L. 2531-6

I. - A. Employers referred to in Article L. 2531-2 are required to make the payment mentioned in the article to the services responsible for the collection of social security and child benefits following the rules of collection, litigation, and penalties applicable to the various social security agencies.

The proceeds are paid to Île de France Mobilités.

The effective payments are reimbursed by the aforementioned organization:

- 1° To employers that provide guaranteed permanent workplace accommodation or free public transportation for all or certain employees and who are therefore exempt from paying the uniform monthly transport premium; this reimbursement is proportional to the number of employees with permanent housing or free transportation. This reimbursement is maintained for all applicable employers for the period remaining after the repeal of the urbanization perimeter under the conditions of Article L. 5341-2¹⁵;
- 2° To employers with employees employed within urban planning boundaries of new towns when the employers have been established for less than five years. For companies established within urban planning boundaries for new towns for more than five years (and counting) since 1995 the reimbursement is reduced by one-fifth each year and removed starting on the fifth year.

B. The government deducts, from the payment provided in L. 2531-2, a share determined in proportion to the number of active military personnel who receive guaranteed permanent workplace accommodation or free public transport by the administration.

II. The central agency for social security organizations, or the collection agency, will provide annually to Île de France Mobilités, at its request, information collected during the collection of the contributed payment intended for the financing of mobility services.

The information provided to Île de France Mobilités is covered by professional secrecy.

The terms of the application in section II. shall be determined by decree from the Conseil d'Etat.

Article L. 2531-7

After deduction for the costs of reimbursement and recovery set by interministerial decree, the afformentioned organization shall distribute the balance to the functions and utilities defined in article [L. 2531-5](#).

Article L. 2531-8

Disputes regarding the reimbursements are to be brought before the administrative jurisdiction.¹¹

Article L. 2531-9

Demands for the reimbursement of the payment intended for the financing of mobility services are limited to a period of two years starting from the date on which the payment was made.¹¹

Article L. 2531-10

The organization of Parisian transportation is authorized to carry out necessary controls over the application of subsection A. of article [L. 2531-6](#) and article [2531-7](#).

Article L. 2531-11

Decrees establish, as necessary, the modes of application of this section, and those necessary, to adapt the provisions to the rules of the social security regime.

Appendix

1 Associations recognized as non-profit public utilities

These must be recognized by the state as meeting 5 requirements:

1. Be of the general interest
2. Have an influence beyond the local level
3. Have at minimum 200 active participating members
4. Have a democratic function organized by the association's statutes
5. Have financial stability with a minimum of 46,000€ of annual resources, public subsidies less than half of the budget, and positive results during the last 3 fiscal years.

This is not to be confused with the common English understanding of "public utilities" such as power, gas, etc. An example of a "non-profit public utility" as recognized by this legal definition would be the French Red Cross.

<https://www.service-public.fr/particuliers/vosdroits/F1131>

2 Intermediary Associations

Intermediary associations are structures to provide work contracts and assistance to people with difficulties to facilitate professional integration.

<https://travail-emploi.gouv.fr/les-associations-intermediaires-ai>

3 Article L. 133-11 of the Tourism Code [paraphrase]

Lists communes "with a policy of tourism that offers lodging capacity for a non-resident population" and lists conditions under other operating costs of touristic municipalities.

4 Intercommunal Cooperations

France has officially designated forms of communal cooperation that allow the cooperations to have fiscal power for sharing utilities (in the American sense of the term) and control taxes (relevant to this topic).

These are as follows, from the smallest to largest. Each larger cooperation has all the powers of the lower cooperations.

- **Community of Communes:** Cooperation of several communes in a single piece of territory without enclaves. It can handle basic services and dictate policy for the entire collective.
- **Agglomeration Community:** Should have a total of at least 50,000 inhabitants around a central commune or communes that are at least 15,000 inhabitants or are the economic center of the department.

- **Urban Community:** A collective with at least 250,000 inhabitants. These can handle tourism, industrial zones, social housing development, and territorial development.
- **Metropolis:** Replaces the intercommunal cooperation with its own governmental tax system. At least 400,000 inhabitants. Can influence policy in municipalities but also of the department and even region. Paris and Marseille are not counted as they have a special distinction.

<https://www.vie-publique.fr/fiches/collectivites-territoriales>

5 Article L. 5722-7-1 of the Local Authority General Code

Joint unions composed exclusively or jointly of communes, departments, regions, or intercommunal public cooperations may all establish, under the conditions provided in Article L. 2333-64, a payment intended for the financing of mobility services, when they are responsible for the organization of mobility.

The joint unions mentioned in articles L. 5711-1 and L. 5721-2 of this code with power over mobility may, by reasonable decision, reduce or set to zero the rate of the payment, within the perimeter of the intercommunal public cooperation, according to a criteria they determine based on the population density and tax potential as defined in Article L. 2334-4. The reduction of the tax rate will be in relation to the observed differences, based on these criteria, between the different perimeters of the public establishments that compose the joint union.

6 Article L. 130-1 of the Social Security Code

I. In this code, the workforce of the employer, including legal entities with multiple establishments, corresponds to the average number of persons employed during each month of the previous year.

In paragraph I, for the pricing application of those under "workplace accidents and occupationally acquired disease", the workforce taken into account is that of the previous applicable year.

The workforce that is counted on the year of the hiring of the first employee with a contract in the company is the last day of the month during which this hiring was completed.

A decree by the Conseil d'État defines the categories of the persons included in the workforce and the methods of their counting.

II. The crossing of a higher workforce threshold is in effect when the threshold has been crossed for five consecutive years.

The crossing of a lower workforce threshold over one year will effect a reevaluation of the rule in paragraph I.

7 Article L. 1231-1-1 [paraphrase]

Mobility services listed here include:

- Regular public transit
- On-demand public transit
- School transit
- Active mobility services (pedestrian or bicycle i.e. non-motorized)
- Motor vehicle sharing (cars, vans, etc)
- Accessibility improvements in mobility

8 Wages, salaries

"Wages" is used to describe the employee income. The original French document uses "*salaries*", but there is no distinction made between payments made in fixed amounts or by tracked intervals. Consider any reference of "salary" or "wage" to mean the money paid to employees. Note that [L. 2333-65](#) makes no distinction either and cleverly counts finances that would be used to calculate health insurance benefits (an already established and comprehensive system).

9 Public Transit on Free Road or Guided Track

This means, effectively, buses and trains. It could also mean microtransit or ridesharing if such systems could be established as *public transit* and not private taxi services. Although this could be looser in infrastructure. In Paris, for example, official taxis can use the bus lanes. As long as it's not taxi-only lanes.

Also this is meant to discredit ferries, gondolas, and other transit that would not fit linguistically.

10 "May be" vs. "Are"

Note that in Article [L. 2333-64](#), which covers France in general, all persons "may be" subject to this tax due to the various communes and organizations that may be exempt. But in Article [L. 2531-2](#) that covers Île de France, which contains around 18% of the population of metropolitan France and one-third of the nation's GDP, there are no exemptions.

11 Identical Articles

List of articles with identical wording:

Article [L. 2333-65](#) and Article [L. 2531-3](#).

Article [L. 2333-72](#) and Article [L. 2531-8](#).

Article [L. 2333-73](#) and Article [L. 2531-9](#).

12 Île de France Mobilités

The public transit authority of the Paris region. The RATP, which serves primarily the City of Paris, operates under Île de France Mobilités.

13 Paris Urban Unit

The Paris Urban Unit is a list of communes defined by the Insee that makes a more formal definition of "Greater Paris". It consists of the City of Paris itself, all communes in the immediately surrounding departments, and some of the communes of the further departments in Île de France.

More lists and maps can be found on Wikipedia:

https://fr.wikipedia.org/wiki/Unit%C3%A9_urbaine_de_Paris

14 Article L. 1241-1 of the transport code [excerpt]

I. In the Île de France region, the public establishment named "Île de France Mobilités" is the authority for:

- 1° The organization of regular public passenger transportation, including river transit services subject to governmental powers in matters of police navigation. For transport on roads or guided track, the regular public transit services can be urban or non-urban, under the definitions of section II of article L. 1231-2;
- 2° The organizing of on-demand public passenger transportation;

Summary: The general point of this article is to define the creation and authority of Île de France Mobilités, which was created at the end of 2019 from the previous regional transit authority, STIF (Syndicat des transports d'Île de France) [Île de France Transit Union].

15 Article L. 5341-2 [paraphrase]

This law defines the transformation of an agglomeration union, a former type of [intercommunal cooperation](#), into agglomeration communities. This retired the categorization of agglomeration

communities in 2016, effectively in 2017. The law itself goes over the manner of transferring all assets and staff to the replacement entity and how the process would be decided by the affected communes.