EETS DOMAIN STATEMENT
of Autobahnen- und Schnellstraßen- Finanzierungs-Aktiengesellschaft

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PART I. REQUIREMENTS FOR EETS PROVIDERS ("EP")

A) General

This document is intended solely for EETS Providers (EP) in the context of the EETS Decision of the European Commission 2009/750/EC. Fulfilment of the requirements listed below forms the basis for concluding a contract as an EP in the EETS Domain of ASFINAG. ASFINAG reserves the right to make changes to the requirements listed below at any time.

The distance-based toll for multi-track motor vehicles with a maximum permissible weight of more than 3.5 tonnes ("**Toll**") is regulated in the latest version of the Federal Highways Toll Act 2002 ("**BStMG**") as well as in Part B of the latest version of the Tolling Regulations for Austrian Motorways and Expressways ("**Tolling Regulations**") established in accordance with § 14 BStMG and approved by confirmation of the Federal Ministry for Transport, Innovation and Technology in agreement with the Federal Ministry for Finance (see www.asfinag/maut/mautordnung). The rights and obligations that concern the customers of an EP when using the EETS Domain described herein are laid down in the Tolling Regulations.

These provisions are based on the Statement described herein for the EETS Domain. The latest version of the provisions must be observed by the EP and its customers in all cases.

In the event of any discrepancies between these provisions for the EETS Domain and the BStMG or the Tolling Regulations, the BStMG or the Tolling Regulations shall take precedence.

In the event of amendments to the statutory framework conditions for the toll or the rendering of the EETS, which underlie these provisions for the EETS Domain, these provisions shall be adapted for the EETS Domain accordingly.

1. Toll Charger

Name, head office, legal entity, contact details:

ASFINAG AUTOBAHNEN- UND SCHNELLSTRASSEN-FINANZIERUNGS-AKTIENGESELLSCHAFT ("**ASFINAG**")
A-1011 Vienna, Rotenturmstraße 5-9, P.O. Box 983
Legal entity: Stock limited company, head office Vienna, FN 92191 a

Contact details:
ASFINAG Maut Service GmbH ("**MSG**")
A-1120 Vienna, Am Europlatz 1
eets@asfinag.at

ASFINAG is entitled to usufruct over all motorways and expressways in the Republic of Austria by virtue of the latest version of the ASFINAG Enabling Act, Federal Law Gazette I no. 113/1997, and the usufruct agreement of 23 June 1997 concluded with the Federation in implementation thereof. ASFINAG therefore has *inter alia* the right, including on the basis of § 3 BStMG, to raise tolls from all users on all roads covered by the right to usufruct.

ASFINAG has concluded an Operator Agreement with MSG, under which MSG (as the agent of ASFINAG) operates a toll system for the collection of tolls for vehicles subject to tolls for use of the toll road network.

2. EETS Domain

Description of the EETS Domain:

The toll is based on the use of the toll road network (with a length of approx. 2,199 km as at 2016) by a motor vehicle subject to tolls (see Part B, section 3 of the Tolling Regulations for details). Tolls are collected by means of a fully electronic toll system.

The entire toll road network is divided into toll sections, with the toll for each individual toll section being collected separately. The prerequisite for proper toll payment is the obligatory carriage of a licensed and correctly functioning as well as permanently and properly mounted On-Board Equipment within the motor vehicle subject to tolls.

The amount of the toll rate is (i) route-specific, and also depends on (ii) the time at which the section is used, (iii) the location of the specific toll section as well as (iv) the number of axles and (v) the EURO emission class; see Part B, chapter 4 of the Tolling Regulations for details.

Exemption of specific motor vehicle categories from the requirement to pay tolls:

Motor vehicles specified in Part B, chapter 2 and point 3.3 of the Tolling Regulations are permanently or temporarily exempt from the requirement to pay tolls. Such exemptions may only be granted by the Toll Charger in accordance with the provisions of the Tolling Regulations.

3. Statutory basis

Federal Highways Toll Act (BStMG) 2002, Toll Ordinance, Toll Section Exemption Regulation and relevant provisions of the Tolling Regulations; the EP is required to inform its contractual customers about their obligations under the BStMG and the Tolling Regulations.

B) Technical parameters

1. Technical requirements for the EP regarding toll collection

Technologies used:

The toll system is designed as a multi-lane free-flow Dedicated Short Range Communication (DSRC) system based on European standard EN 15509. For each toll section, DSRC transceivers (so-called beacons) are usually mounted on gantries across the carriageway. The toll transactions are performed with Security Level 1 access protection according to EN 15509, and also two authenticators are generated.

Requirements for the On-Board Equipment:

The On-Board Equipment must support CEN-DSRC transactions according to EN 15509 in the 5.8 GHz range. Also provided is a user interface that permits the declaration of the vehicle's axle category as well as the polling and playback of status information (visual and audible).

The On-Board Equipment must be able to communicate in multi-lane free-flow operation with overlapping communication zones of the DSRC transceivers that work on different channels without loss of sensitivity.

The On-Board Equipment must be compatible with standards including:

- Interoperability application profile for DSRC: EN 15509 (Security Level 1 is mandatory)
- Layer 1: EN 12253
- Profile definition: EN 13372
- Layer 2: EN 12795
- Layer 7: ISO15628/ EN 12834
- Application Interface for EFC: EN 14906 (or EN ISO 14816)

For detailed definitions of the requirements for the On-Board Equipment and DSRC interface, see the following documents:

- "EETS-OBE Requirements Specification" [EETS-OBE req]
- "EETS-DSRC Transaction for Tolling and Enforcement" [EETS-DSRC]

For detailed specifications on format and content of the transaction data, on personalisation and configuration, refer to EN 15509 and EN ISO 14906 as well as to the following document:

- "EETS DSRC Tolling Data Specification" [EETS_data].

Proof of conformity of the On-Board Equipment:

The proof of conformity of the On-Board Equipment in accordance with the EETS Decision of the European Commission 2009/750/EC is to be produced by means of a manufacturer's conformity declaration in the context of the EETS Decision of the European Commission 2008/768/EC. See the EETS Acceptance Procedures [EETS_acc] for more details.

Proof of the suitability of the On-Board Equipment:

The required proof of suitability is to be produced by means of a Suitability for Use Test that takes into consideration the type and nature of the personalisation performed by the EP in accordance with [EETS_acc].

2. Toll transaction concept

Data interface between EP and Toll Charger:

2.1 Procedures/interfaces for technical concept

The exchange of information between the central system of ASFINAG and the systems of the EP is based on an interface, which is similar to EN 12855.

The interface offers functionalities such as:

- Exchanging security objects
- Sending information on the Toll Domain
- Sending of information about accepted On-Board Equipment
- Sending Black List information
- Exchanging usage information
- Sending toll demands
- Exchanging enforcement information
- Sending user lists (White Lists)
- Exchanging quality assurance information

For detailed specifications on this interface, refer to the following document:

- "EETS Back Office Interface specification" [EP_IF]

2.2 Black list (Black List)

Black list data

The EP shall periodically supply the Toll Charger at its own expense and risk with electronic black list data in a defined file format by the defined point of handover in accordance with the "General Contractual Conditions" **("AVB"),** which can be used to identify On-Board Equipment of the EP that are no longer accepted. Details are regulated in "EETS Back Office Interface specification" [EP_IF] as well as in the "General Contractual Conditions" ("**AVB**").

2.3 User list (White List)

In accordance with the AVB and the [EP_IF] and in accordance with the relevant provisions on data protection, the EP shall periodically supply the Toll Charger at its own expense and risk with electronic information on the contractual data of its users by the defined point of handover in accordance with the "General Contractual Conditions" ("**AVB**") for the purposes of (i) sample checks of EURO emission classes, (ii) verification of whether an active contract exists in the context of retroactive payment, and (iii) enforcement (particularly to identify toll dodgers and the subsequent application of substitute tolls on the latter).

3. Quality measurement and management

3.1 Transaction quality

In addition to its other obligations, the EP is to adhere to the transaction quality which is described generally below and in detail in [EP_QM] and which is measured as described generally below and in detail in [EP_QM], especially in the toll transactions initiated by its EETS users.

The transaction quality is made up of the following quality parameters:

- DSRC Error Ratio
- Ratio of „incomplete transactions“
- Ratio of „reconstructed transactions“
- Ratio of „missing transactions detected by enforcement equipment“

Determining the transaction quality

The detailed conditions for determining the individual parameters are explained at length in [EP_QM].

The transaction quality is in principle determined and verified for a 1-month- period. The rate of reference On-Board Equipment of relevance to the individual quality parameters as well as the EP’s types of On-Board Equipment in use are reported by the Toll Charger to the EP not later than 1 month after the end of each observation period. In order to take into consideration that an On-Board Equipment type of the EP is new in the Toll Charger’s system and deviates from the group of reference On-Board Equipment, the EP’s should have the possibility to learn from initial operating experiences and to improve the collection quality of its On-Board Equipment. For this reason, less stringent tolerance factors apply for the first year of permanent operation of a type of On-Board Equipment (see [EP_QM] for details).

System failure

The term system failure refers to a systemic, extended failure (in the context of failure to perform correct toll transactions) of a portion (determined in more detail in [EETS_proc]) of a type of On-Board Equipment being used, for which the EP is responsible and which cannot be remedied within an appropriate period of time (for details see [EETS_proc]).

3.2 Measures when the required transaction quality is insufficient

Quality measurement and management

The EP is required to implement a quality measurement and management system, to continuously monitor adherence to the transaction quality and, where foreseeable, to take appropriate measures to counteract any (including future anticipated) deterioration in the transaction quality, which could potentially lead to a lack of compliance with the necessary quality parameters. The EP must regularly inform the Toll Charger about the results of this quality measurement and the measures taken in respect of quality management.

The Toll Charger has also implemented a quality measurement and management system, which monitors the adherence of the transaction quality of its Roadside Equipment.

Measures when the quality parameters are insufficient

The EP must take appropriate measures to counteract any deterioration in the transaction quality of its On-Board Equipment. These measures of the EP must lead to a restoration of adherence to all required quality parameters (e.g. by blocking, replacing, repairing the On-Board Equipment or instructing the driver on how to act). The EP is required to regularly inform the Toll Charger of the results of the measures taken.

Measures for interim problems

Should the transaction quality of one or more quality parameters (e.g. with regard to specific types of On-Board Equipment or to individual On-Board Equipment) be noticeably lower than expected for an EP in the short term (i.e. also with regard to shorter periods than relevant for the measurement of the individual

quality parameters), then the Toll Charger can demand appropriate short-term remedial measures in terms of recall and replacement of the defective On-Board Equipment by the EP.

If the EP fails to comply immediately with such a request from the Toll Charger, but not later than within the period established in [EP_QM], the EP shall pay the Toll Charger a penalty in the amount set out in [EP_QM] for the period in which the EP was unable to re-establish any consistent, normal transaction quality. The penalty shall lapse if the quality parameters can be achieved again within an appropriate period of time.

Measures for system failure

In the event of a system failure, the EP must ensure that all On-Board Equipment of the affected type are recalled from all of its EETS users who use this type of On-Board Equipment as soon as possible (e.g. as part of a recall campaign), removed from circulation and replaced with another On-Board Equipment (e.g. GO-Box) accepted for use in the EETS Domain.

3.3 Data quality (On-Board Equipment)

As the level of the toll to be paid is calculated on the basis of the ("personalised") vehicle data stored in the On-Board Equipment, value is placed on maximum data quality. The correct personalisation of

- Vehicle licence plate numbers and country of registration
- Vehicle class
- Number of axles of the towing vehicle
- EURO emission class

is assessed according to the principles in [EP_QM].

The EP is responsible for the correctness of the data stored in the On-Board Equipment. The EP is required to verify the vehicle data (e.g. against the vehicle papers etc.) prior to personalisation of the On-Board Equipment. For further details, see [EP_QM].

If the EP has stored an incorrect EURO emission class in the On-Board Equipment, the EP is required to retrospectively refund the lost toll revenues to the Toll Charger from the moment of the incorrect allocation up to the moment at which the error is noticed and the correction takes place. Excluded from this are individual transactions for which a substitute toll has already been paid.

The Toll Charger is entitled to verify the correctness of the allocation of the EURO emission classes to be undertaken by the EP on the EP's On-Board Equipment by taking random samples or in the event of concrete suspicion in individual cases. For further details, see [EP_QM].

These random samples are used to determine an error ratio for the EURO emission classes, which shows the proportion of the erroneous allocation of the EURO emission classes in the EP's On-Board Equipment to the quantity of checked instances; assuming that a minimum number of random samples as set out in [EP_QM] has been tested. For further details, see [EP_QM].

If an emission class error rate set out in [EP_QM] is exceeded, the EP shall pay the Toll Charger lump-sum compensation in accordance with [EP_QM].

3.4 Vehicle declaration

The EP shall issue its EETS users with a vehicle declaration which is to be carried on journeys in the Austrian EETS Domain and presented at the request of the Toll Charger (toll enforcement officers). This vehicle declaration must at least contain the following information:

- Vehicle licence plate and country of registration
- PAN and OBU-ID as value (comprising the data for EFC-ContextMark, ContractProvider, ManufacturerId and EquipmentOBUId)
- OBU-ID as barcode according to EAN-128A

- Declared EURO emission class
- Name of the EP

The vehicle declaration enables each driver to verify at any time the correct allocation (i) of the On-Board Equipment to the corresponding vehicle and (ii) the EURO emission class set in the corresponding On-Board Equipment.

4. Customer service

Customer service

The customer relationship for the handling of tolls exists between the EP and the EETS user. Consequently, the EP is in essence solely responsible for the customer service with the respective EETS user as far as toll issues are concerned. If the EETS user approaches the Toll Charger directly with toll-related questions, the Toll Charger has the right (but not the obligation) to refer such EETS users to the EP.

Furthermore, the customer relationship between the EP and its EETS users does not affect the legal relationships between all road users required to pay tolls and the Toll Charger with regard to the use of the toll roads.

The EP is not entitled to issue any credit notes on behalf of the Toll Charger (e.g. in combination with claims of the EETS user regarding charged toll) without approval of the Toll Charger to do so. The EP is obliged to send requests for credit notes of his EETS users to the Toll Charger in order to determine their legitimacy. The Toll Charger will examine all transmitted requests for credit notes, inform the EP about the result of the examination and if necessary send a credit note to the EP.

The EP undertakes to inform its EETS users that they are not entitled to make use of the customer service of the Toll Charger provided by ASFINAG for local customer contracts.

In matters of enforcement, however, the Toll Charger’s customer service can be contacted directly by EETS users.

Support service for the EP

The Toll Charger will support the EP with customer service to the extent required to process the contractual relationship with the EP. This involves providing the EP with a hotline for dealing with questions for which the EP is dependent on the Toll Charger. The employees specially trained for EETS can be reached on this hotline by the EP during normal office hours, and communication can at least be guaranteed in German and English.

In addition, the EP is to nominate a suitable point of contact who will be at the Toll Charger's disposal as required.

5. Retroactive-payment of the toll

Retroactive-payment of the toll:

Retroactive-payment of the toll for a transaction that was not performed by the EETS user is in principle possible at GO points of sale and to toll enforcement officers in Austria with the locally accepted means of payment, but not via the payment means used within the EETS context (=EETS means of payment). Retroactive-payment must take place in accordance with the requirements specified in the Tolling Regulations
In event of use of an insufficient category or incorrect emission class, it is also possible to make retroactive payments according to the requirements specified in the Tolling Regulations.

Reconstructed transactions:

If certain prerequisites are met transactions synthetically reproduced (reconstructed) transactions will take place according to the requirements in the Tolling Regulations if a proper toll transaction has not taken place despite a vehicle subject to tolling of an EETS user driving on a section of road for which the payment of a toll is required. See [EP_QM] for further details.

6. Enforcement

If a vehicle subject to tolls uses the toll road network without properly paying the mileage-based toll (a "**toll dodger**"), the following instances are to be differentiated for the purposes of these guidelines for the EETS Domain:

1. *The On-Board Equipment is blocked (i.e. it appears on the Black List)*

Within 5 working days the EP is required to send to the Toll Charger on request, which shall be justified by the existence of a toll violation, the name and address of the registered vehicle owner via a mutually agreed electronic interface.

In this case, the EP shall not be liable to pay the substitute toll.

2. *The On-Board Equipment does not initiate a transaction; the transaction also cannot be determined by a reconstructed transaction and the vehicle registration number of the toll dodger can be allocated on the basis of the user list to one (or more) specific EETS On-Board Equipment and does not appear on the Black List.*

In this case, upon associated notification of the existence of a toll violation by the Toll Charger, the EP is required to either (i) within 5 working days send to the Toll Charger the name and address of the registered vehicle owner in question via a mutually agreed electronic interface or (ii) pay the Toll Charger the relevant substitute toll in accordance with Part B point 10.3 of the Tolling Regulations as long as the Toll Charger is able to provide proof of the absence of proper payment of the toll.

If it is possible to establish a relationship to EETS On-Board Equipment of several EPs in this way, all of these EPs are required to transfer data in accordance with the preceding paragraph. Should none of these EPs send the data of the EETS user in question to the Toll Charger, all of these EPs shall be jointly and severally liable for payment of the substitute payment in this regard as long as the Toll Charger is able to provide proof of the absence of proper payment of the toll.

3. *The On-Board Equipment does not initiate a transaction, said transition cannot be reconstructed and the vehicle registration number of the toll dodger cannot be allocated to an EETS On-Board Equipment on the basis of the user list.*

The obligations regarding the release of data and liability for damage described in points 1 and 2 of this chapter "Enforcement" do not apply in this case.

4. *The On-Board Equipment initiates a toll transaction, but a toll violation exists in form of only "partial payment of the toll" (see point 10.3.2 of the Tolling Regulations).*

The regulation on point 2 above applies accordingly; the possibility of the liability of several EPs is ruled out, as the toll transaction can be clearly allocated to one EP.

Participation of the EP in administrative penalty proceedings

In case that according to incorrect tolling an administrative penalty proceeding is initiated, the EP is obliged to the following activities and support of ASFINAG in particular: Either the EP has to follow possible citations of public authorities (e.g. through delegation of eligible and specialised staff) or to authorise ASFINAG to be its proxy during the proceeding and equip it with a significant statement about the respective case.

7. Change management

Details on change management are laid down in Fault and Change Management for EETS Providers [EETS_proc].

Each party is responsible for bearing its own costs in the event of any changes to the underlying legal conditions. The EP is also required to adapt its systems at its own expense to system modifications made at the Toll Charger (e.g. modifications of the toll system technology, adjustment of the data exchange interface).

The Toll Charger provides the EP with the interfaces described in this document and in the appendices. The costs for adjustments separately agreed and expressly requested by the EP are to be borne by the EP.

The Toll Charger will inform the EP about specific, intended system modifications within an appropriate period of time.

8. Incident management

Both the Toll Charger and the EP shall inform the respective other party about incidents that occur and/or maintenance, where these concern the respective other party. The decision on the measures to be taken shall be reached jointly.

Details on incident management are laid down in [EETS_proc].

C) Economic parameters

1. Economic requirements for the EP

1.1 Financial security

After concluding an EETS contract with the Toll Charger according to Part II chapter 8, and for the term of the contractual relationship with the Toll Charger, the Toll Charger will conclude a credit insurance in order to secure the risk of non-payment of the EP. Costs of this insurance are borne by the Toll Charger. The Toll Charger will conclude an appropriate contract with an insurance company. The assessment if an insurance can be provided for a certain EETS Provider is done by the insurance company. The Toll Charger is free to select an insurance company of his choice.

In case the credit insurance, for securing the risk of outstanding debts of the EETS Provider for claims from the Toll Charger to the Service Provider, can no longer or only partially cover the risk of non-payment, the following provision applies:

Within 14 days after being requested to do so, the EP has to provide the Toll Charger

- with an abstract, irrevocable, unconditional bank guarantee which is payable at first request without any verification of the legal basis and dispensed without any appeal to objections from the underlying legal relationship. This bank guarantee must be issued by a credit company based in

a Member State of the EEA or the EU with at least a single-A rating (Standard & Poor's), an A2 rating (Moody's) or an equivalent rating.

- or an equivalent financial instrument acceptable to the Toll Charger

in the amount of an average month's turnover in order to collateralise payment claims regarding toll turnovers ("**Financial Security**").

The amount of the financial security is to be set by the Toll Charger on the basis of the total toll transactions paid by the EP in the preceding year. If the EP is a new company where previously no business relation in the scope of EETS existed, the amount is to be set on the basis of the expected average monthly total number of toll transactions that the EP would pay on the basis of the average toll per contract estimated in its business plan. The EP is required to supply the Toll Charger with the required verifiable proofs and documents required for setting the amount of the financial security in time before concluding the contract and to handle any inquiries of the Toll Charger. If the EP does not hand over any verifiable documentary proof, despite being requested to do so, or does not supply the necessary information, the amount of the financial security will be estimated and set by the Toll Charger at its discretion, based on the anticipated monthly average turnover.

The term of the financial security must be at least 13 months, and is to be extended for at least a further 13 months period not later than 14 days before the end of the term in each instance. Upon extension of the financial security, the extended guarantee is to be based on the average monthly turnover of the turnover charged to the EP by the Toll Charger in the preceding 12 months. If the extension is made late, the Toll Charger is entitled to withdraw the entire bank guarantee or the equivalent financial instrument and to reserve the received amount for the time being to collateralise toll turnover until a new bank guarantee or equivalent financial instrument is provided by the EETS Provider,

Drawing the bank guarantee or realising the equivalently acceptable financial instrument does not release the EA of the timely payment of the submitted toll-claims.

2. Costs, charging

Further details on the payment conditions described below are regulated in more depth in the AVB.

2.1 Costs

2.1.1 Implementation costs	For the implementation in the system of the Toll Charger, the EP is to reimburse the Toll Charger the actually incurred implementation costs upon commencement of operations. Should the EP desire individual adaptation for such an implementation in addition to the interfaces specified by the Toll Charger, the EP shall have to reimburse these additional costs in addition to the implementation costs (as mentioned above).
2.1.2 Costs for Suitability for Use Tests	For the testing and certification of the Suitability for Use of the EP's interoperability components, the EP is to pay the Toll Charger a reimbursement as specified in the EETS contract per test run and per type of On-Board Equipment. Should technical errors necessitate retesting the suitability of the EP's interoperability components, such a retest will also be charged according to the expenditure of the Toll Charger.
2.2 Remuneration	The Toll Charger shall grant the EP a remuneration for toll services via the EP (including the management of customer relationships and provision of detailed list of transactions). The amount of the remuneration is stated in the EETS contract.

3. Invoicing and payment principles

3.1 Post-Pay	EETS users of the EP count as toll payers via the post-pay procedure in accordance the Tolling Regulations.
3.2 Charging	The data of all payments are electronically recorded by the Toll Charger and sent to the EP on a daily basis. The details in this regard are regulated in the AVB.

PART II. CONDITIONS AND PROCEDURES FOR ACCEPTANCE AS AN EP

Conditions / Procedures

The acceptance as EP for unlimited operation within the Austrian EETS Domain requires the following steps to be performed in the sequence given. These steps must take place in writing.

1. Registration of EP

The EP registers with the Toll Charger and declares its intention to become an EP in the EETS Domain of the Toll Charger.

2. Proof of the EP for the commencement of negotiations between the EP and the Toll Charger

The EP is to supply the Toll Charger with proof of its registration as an EP in its country of incorporation.

3. Letter of Intent

The EP and the Toll Charger issue a mutual Letter of Intent [LOI] regarding the commencement of negotiations over the activity of the EP in the EETS Domain, whose binding parts include at least a non-disclosure agreement, a requirement to return information and documents received, a restriction on the use of the information and documents received and an obligation of the EP to pay a refund if it turns out to be unsuitable as an EP.

4. Supply of non-public documents to the EP

The Toll Charger shall supply the EP with possible non-public documents.

5. Technical and commercial concept of the EP

The EP shall prepare a technical and commercial concept for its activities as an EP in the Austrian EETS Domain. This concept must at least contain plausible and coherent information on the following points,

whereby the Toll Charger is also to be presented or supplied with appropriate documentary proof on request and provided all necessary information:

- Description of the types of On-Board Equipment (characteristic hardware and software versions) including proof of the equivalence with the type of On-Board Equipment, procurement sources and pertinent registration documents indicated when registering as an EP
- Appropriate quality management system
- Appropriate personnel
- Appropriate customer management concept
- Sufficient financial performance and creditworthiness of the EP, in particular enclosing proof for ensuring the financial means for implementing the concept at least for the phase up to commencement of operations and the first two years of operation (e.g. commitment of own resources, financing promises, etc.)
- Timetable
- Risk management plan (e.g. interruption to business operation, liquidity risk)

6. Plausibility check by the Toll Charger

The Toll Charger shall check the concept sent by the EP for plausibility regarding compliance with the requirements in accordance with these guidelines for the Austrian EETS Domain and if needed prepare improvement instructions or lists of concerns. The EP must comply with these or plausibly eliminate any concerns.

7. Agreement on commercial conditions

The EP and the Toll Charger shall agree on the commercial conditions for concluding an EETS contract.

8. Contract formation with reservation

The EP and the Toll Charger shall then conclude an EETS contract based on the AVB. This provides the approval for unlimited operation, depending on the successful Suitability for Use Test and the "Financial Security" (according to chapter C 1.1.).

If a contract is not formed for reasons that are not the fault of the Toll Charger, the EP must reimburse the Toll Charger the costs that can be proven to have been incurred up to that point in time.

9. Suitability for Use Test

The Toll Charger performs the Suitability for Use Test in respect of the interoperability components together with the EP; this is described in detail in [EETS_acc]. This Suitability for Use Test also includes a test run, which must be completed end-to-end, i.e. one that guarantees sufficient transaction quality in accordance with the requirements of [EP_QM], a functioning settlement interface, a functioning Black list data exchange, a functioning user list data exchange and a concept for a customer hotline in accordance with the conditions of these requirements for the EETS Domain. The test run must successfully meet the requirements in accordance with [EETS_acc] in order to be considered positively completed.

Only On-Board Equipment that have been presented in the concept given under point 5 will be permitted for the Suitability for Use Test. If new types of On-Board Equipment are used by the EP or significant changes are made to a type of On-Board Equipment (including software) that have an impact on the quality of toll collection in Austria, part or all of the suitability test - depending on the scope of the change - are to be repeated. The costs for this are to be borne by the EP.

10. Financial Security

The EP supplies the Toll Charger with a "Financial Security" in accordance with the conditions of these requirements for the EETS Domain (see chapter C 1.1).

11. License for unlimited operation

Following successful completion of the test run, the Toll Charger will license the EP for permanent operation.

12. Start of operations

The EP starts its permanent operation as an EP in the Austrian EETS Domain of the Toll Charger.

PART III. REFERENCED DOCUMENTS, GLOSSARY

1. Referenced documents

[AVB]	General Contract Conditions
[LOI]	Letter of Intent
[EETS_acc]	EETS Acceptance Procedures
[EETS_proc]	Incident and Change Management for EETS Providers
[EP_IF]	EETS Back Office Interface Specification
[EP_QM]	Quality Measurement and Management for EETS Providers
[euroclass]	Directive on EURO Emission Classes
[EETS-OBE req]	EETS-OBE Requirements Specification
[EETS-DSRC]	EETS-DSRC Transaction for Tolling and Enforcement
[EETS-data]	EETS DSRC Tolling Data Specification

2. Glossary

Abbreviation, definition	Explanation
ASFINAG	Autobahnen- und Schnellstraßen-Finanzierungs-Aktiengesell-schaft
Authenticator	Data for real-time testing
AVB	General Contract Conditions

Beacons	Road-side transmitting/receiving devices (also see DSRC transceiver)
On-Board Equipment	The full set of hardware and software components required for the provision of the EETS and which are installed in a vehicle for the collection, storage and processing as well as remote reception and remote transmission of data
BStMG	Latest version of the Federal Highways Toll Act 2002
CEN-DSRC	DSRC system according to standard EN 15509
DSRC	Dedicated Short Range Communication (Communication technology supporting the collection of tolls in Austria)
DSRC transceiver	Road-side transmitting/receiving devices
EETS	European Electronic Toll Service
EETS Provider (EP)	A legal entity that fulfills the requirements of Article 3 of ruling 2009/750/EC, is registered in its member state of establishment and grants an EETS user access to the EETS
EETS Domain	A toll domain to which Directive 2004/52/EC applies
EETS user	A natural or legal entity that concludes an agreement with an EETS provider to obtain access to the EETS
EFC Context Mark	Section of the VST that contains the contract data
EN 15509	European standard for road-traffic telematics - Electronic Toll Collection - application profile for DSRC interoperability
EURO emission class	Vehicles of class “EURO 0”, “EURO I”, “EURO II”, “EURO III”, “EURO IV”, “EURO V EEV” and “EURO VI” that comply with the limit values stipulated in Appendix 0 of Directive 1999/62/EC

Suitability	The ability of an interoperability component integrated into EETS to reach and maintain a certain performance level during operation in conjunction with the system of the Toll Charger
GO-Box	On-Board Equipment for payment of the toll in Austria
Interoperability components	Components, assemblies, sub-assemblies or complete material assembles that are or will be integrated into the EETS system and on which the interoperability of the service depends directly or indirectly; this can concern both tangible as well as intangible products, such as software
Toll	A fee, tax or levy that is collected in connection with the movement of a vehicle in a toll domain
Toll section	Section of road, use of which requires payment of a set amount
Toll Charger	A public or private agency that charges tolls on the movement of vehicles in an EETS Domain
Toll domain	A part of the territory of the EU, a part of the European road network or a structure/facility such as a tunnel, bridge or ferry for which the toll is collected
Tolling Regulations	The Tolling Regulations (http://www.asfinag.at/maut/mautordnung) regulate use of the motorways and expressways in Austria
Toll system	The totality of the regulations, including the enforcement provisions, for the collection of tolls in a toll domain
Toll transaction	An action or a series of actions by which proof of toll deduction is sent to the Toll Charger
MSG	Maut Service GmbH
OBE	On-Board Equipment
OBE ID	On-Board Equipment serial number
PAN	Personal Account Number EP-dependent, unique contract number

VST	VehicleServiceTable; data record of the On-Board Equipment that permits allocation to an EP