

MITE AND MIMS JOINT DECREE ON SUSTAINABLE MOBILITY AND MOBILITY MANAGEMENT IS IN FORCE

The decree adopted on 12th May 2021 by the Minister of Ecological Transition (Ministero della transizione ecologica – MITE) in agreement with the Minister of sustainable infrastructures and mobility (Ministero delle infrastrutture e della mobilità sostenibili – MIMS) on sustainable mobility and mobility management came into force on 27th May 2021.

The decree implements the provision set forth in article 229, paragraph 4, of the "Relaunch" law decree (no. 34 of 19.05.2020) and comes as part of a series of measures aimed at pursuing environmental and social objectives that ensure greater sustainability of urban and metropolitan areas and the reduction of the environmental impact of vehicle traffic.

Here are the innovations of greatest interest to operators.

Obligation to adopt a Home-to-Work Travel Plan (Piano degli spostamenti casa-lavoro – PSCL)

The measure requires companies and public administrations with local units with more than 100 employees, that are located in a regional capital, a metropolitan city, a provincial capital or a municipality with a population of more than 50,000 inhabitants, to adopt by 31st December each year a plan for employees' home-to-work journeys, aimed at reducing the use of individual private transport (PSCL).

During the first phase of application, PSCLs must be adopted within 180 days of the publication of the decree in the Official Gazette. In drafting and implementing the plans, companies will be able to use the guidelines that will be issued by the competent ministries within 90 days of the publication of the decree.

Obligation to appoint a company mobility manager

The same companies are also obliged to appoint, for the purpose of adopting the PSCLs, a company mobility manager, a figure specialised in "the management of mobility demand and the promotion of sustainable mobility within the home-to-work journeys of employees" and being of "high and recognised professional competence and/or proven experience in the field of sustainable mobility, transport or environmental protection".

The company mobility manager is entrusted with functions of continuous professional support for decision-making, planning, scheduling, management and promotion of optimal sustainable mobility solutions.

In particular, they will have to take care of relations with public and private bodies directly involved in the management of employee travel, to launch information dissemination and awareness initiatives on the subject of sustainable mobility, to promote, together with the area mobility manager appointed by municipalities, training and guidance initiatives to encourage cycling, walking, the use of public transport services and of complementary and supplementary services, including innovative ones, to support the area mobility manager in the promotion of interventions on the area useful to encourage intermodality, efficiency and effectiveness of public transport services, the development of shared mobility services and infomobility.

Companies and public administrations that are not among the above-mentioned obliged entities are nevertheless also entitled to draft a PSCL and to appoint a company mobility manager.

The area mobility manager

Municipalities with a population of more than 50,000 inhabitants shall also appoint an area mobility manager who should support the administration in the definition and implementation of sustainable mobility policies as well as in the liaison between the company mobility managers.

Requirements for the appointment as mobility manager

Company mobility managers and area mobility managers have to be appointed "*from among persons with a high and recognised professional competence and/or proven experience in the field of sustainable mobility, transport and environmental protection*".

With reference to public administrations, the decree also establishes that both figures must be selected "*from among the staff in post*" who possess the aforementioned requirements of professional competence and/or experience.

This is not the case for companies, which the decree requires to ensure "*that company mobility managers have the requisites*" of professional competence and/or experience in the above-mentioned sectors, but not to appoint the managers from among the people belonging to the company organisation.

It must therefore be assumed that the role can also be taken on by external consultants possessing the requirements of expertise and competence indicated above.

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The Environmental and Employment and Industrial Relations Departments of Legance are available to provide any clarifications, also in respect of any specific situation which may be of interest to you.

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