Call for papers

Special Issue on

Comparative Legal Perspectives on New Mobility Paradigms

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The transportation sector is rapidly going through multiple revolutions: decarbonization, automation and digitalization. Each of them promises to solve long-term problems: air pollution, greenhouse gas emissions, congestion, road safety, mobility injustices. The legal literature has addressed each of these issues, but it is still unclear which legal transformations are prompted by their combined impact. None of the three above mentioned drivers of change has any chance of achieving the intended benefits without a supportive legal framework. Though, what the contents of such framework are and who should govern it deserve careful scrutiny. All the big continental blocks have their own national champions in the fields of automotive, electromobility or artificial intelligence. Moreover, each block displays a peculiar structure of the transportation system. These differences are reflected in the way the transition toward new mobility paradigms takes place. In some cases, technological innovations related to autonomous driving are said to represent the most important factor of change. In other cases, decarbonisation is foregrounded. The transition toward new mobility paradigms is likely to follow different pathways and produce different outcomes.

The EU is at the forefront of these multiple revolutions. According to the Communication of the Commission of December 2020 on *Sustainable and Smart Mobility Strategy – putting European transport on track for the future*, the success of the European Green Deal – which envisages a 90% cut in emissions by 2050 – depends significantly on the EU ability to make the transport system as a whole sustainable. In the context of the recovery from COVID-19 pandemic, public support should help mobility leap forward to a green, interconnected and digital transformation. The Commission aims at shifting from the existing paradigm of incremental change to fundamental transformation. Moving towards the building of smart digital solutions and intelligent transport systems (ITS) and connected, cooperative, and automated mobility (CCAM) is among the main flagship initiatives of the Commission, and the deployment on large scale of automated mobility by 2030 is one of the milestones. To this end, the Commission commits to develop an agile regulatory framework to pilot and deploy automated vehicles, as well as to support such technologies and new infrastructures through the use of structural funds and of the new instrument Next Generation EU and to strengthen the EU industrial capacities related to the digital supply chain. Further initiatives are envisaged concerning artificial intelligence and mobility data availability, access and exchange. A European Common Mobility Data Space will have to function in synergy with other systems such as energy, satellite navigation and telecommunications. Making this new mobility affordable and accessible in all regions and for all passengers including those with disabilities and reduced mobility is also among the EU objectives.

In this call for papers, we look for contributions which explore the interplay of these multiple revolutions from a comparative, theoretical, empirical or interdisciplinary perspective. Our focus is mainly on passenger transport by road, but we also consider contributions which extend the analysis to rail and maritime transport. A non-exhaustive list of possible topics is provided below:

1) From a legal point of view, are there synergies or conflicts among the three revolutions? Can the legal frameworks supporting each of them be designed separately, or should a high degree of coordination be foreseen? At which institutional level (international, regional, national, local) should such coordination take place? Should we expect that the decarbonisation of the transport sector will prompt the integration of energy and transport infrastructures? How will such integration look like? Who should regulate these integrated systems?

2) Does the new Mobility Strategy provide credible targets and policy scenarios? Does it address the trade-offs among the sustainability, smartness and resilience of transport systems? Which governance mechanisms does it need? Is the idea of a new EU agency for the transport sector worth pursuing? More generally, what balance between EU and Member States competences does the new Mobility Strategy suggest? Does it envisage too much or too little centralization?

3) Which methodologies are better suited to explore the legal dimensions of these transformations? On the one hand, can comparative methodologies be employed to describe and explain the ongoing mobility revolutions? What kind of interdisciplinarity should such methodologies pursue? On the other hand, what do the new mobility paradigms tell us about law and technology theoretical frameworks? Do they confirm or refute them? Are they useful in interpreting the trajectories of mobility revolutions?

4) What kind of governance mechanisms can be proposed for new mobility paradigms? Are public-private partnerships one such mechanisms? Is the integration of all public and private transport modes the unavoidable future of the transport sector worldwide? And which degree of integration is foreseeable? Or should we expect different versions of Mobility-as-a-Service to develop? What could the role of broker digital platforms be? Do governance mechanisms adopted in other sectors (e.g. telecommunications, electricity, aviation) provide a useful reference point for transportation systems? Or are there some irreducible differences?

5) What kind of policy tools should be deployed to reduce car ownership, shift the majority of passenger toward multimodal transport and improve the current transport infrastructure? Do congestion charges play a central role? Or should new types of road taxes be introduced? How should revenues be allocated among transport operators participating to multimodal systems? Are public subsidies compatible with multimodality?

6) How should mixed environments with human-driven vehicles and almost-full automation vehicles be regulated? Should traffic management tasks be distributed in a different way?

7) How should land and city planning be coordinated with mobility strategies? How can urban space be shared (and priced) fairly across transportation modes, both human-driven and autonomous?

8) How should transportation platforms be regulated? Are the rules which apply to other platforms enough? Is traditional transport law enough?

9) Should we expect a convergence of liability rules for autonomous vehicles? Or are there reasons to expect they will diverge? Will liability rules influence the degree of cooperation among the ITC and the automotive sectors in the supply chains for autonomous vehicles? And what role should the insurance sector play in these supply chains?

10) What role should competition law play in the transport sector? How should it intervene in horizontal and vertical agreements among public and private transport operators? What kind of unilateral abuses of market power can be expected?

11) What kind of agreements are needed to integrate transportation modes? Should they be governed by contract law or administrative law? Does it make any difference from the point

of view of their contents? Are new rules for multimodal passenger transport needed? What could they look like?

12) Are the new mobility paradigms going to redress mobility injustices? Will they create new ones? Are there crucial trade-offs among the three drivers of change to take into account? Should new passenger rights be identified?

13) Are the new mobility paradigms only relevant for developed countries? What kind of mobility transitions should we expect in developing countries?

We plan to publish the contributions in a leading international journal (TBC). Interested scholars can submit an abstract to giuseppe.bellantuono@unitn.it ; maurizia.debellis@gmail.com or fvandenboom@bournemouth.ac.uk by **May 30, 2021.** The authors of selected contributions will be informed by June 30, 2021. First drafts shall be submitted by September 30, 2021. They will be discussed in a webinar to be held in October 2021. The final versions of the papers shall be delivered by December 30, 2021. Publication is expected in the second half of 2022.