

**XXIII WORLD ROAD CONGRESS  
PARIS 2007**

## **FRANCE - NATIONAL REPORT**

### **STRATEGIC DIRECTION SESSION ST1**

### **CHALLENGES FOR THE SUSTAINABLE DEVELOPMENT OF ROAD SYSTEMS**

### **NEW ORGANISATION FOR A ROADS SERVICE WHICH IS CLOSER TO CITIZENS AND MORE EFFECTIVE**

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## SUMMARY

On August 13, 2004, the Act on local liberties and responsibilities was promulgated. This law modified the distribution of powers between the French State and the different levels of local government. In the area of roads, it led to the transfer in January, 2006 of approximately half the national road network to the French Districts<sup>1</sup>. Thirty thousand government officers are also affected by secondments or transfers to Districts. These sizeable transfers are expressions of the on-going commitment of French governments to improve governance through the application of the principles of subsidiarity and administrative freedom of local governments. The application of these principles goes hand in hand with the affirmation of the State's role in ensuring the integrity of road networks with a view to maintaining road safety and the free circulation of people and goods. Accordingly, the State and the Districts must invent new forms of cooperation.

The goal of transferring roads and associated personnel to the Districts is to enable each level of government concerned to apply its policies more effectively in terms of both financial management and the service provided to users. The control of the whole framework of infrastructure and technical services by the Districts makes possible a better adjustment of local development policies to the relevant territory with renewed and enriched input from citizens and elected representatives. The refocusing of the State on a more restricted network, largely comprised of the most high-volume routes, makes possible a specialisation and professionalisation in the organisation of road services through the putting into place of road-dedicated units at a level of government which best corresponds to the current travelling behaviour of road-users.

For the Districts, the long-term challenge is to succeed in maintaining and developing the technical skills of the transferred services. For the State, the major challenge consists of managing a change in culture: the road network having reached maturity, the highest priority must be given to operating and no longer to expanding.

## INTRODUCTION

Since 2000, major projects for administrative reform have been launched in France. The so-called "organic law governing finance acts" passed in August, 2001 replaces the former logic of means with a logic of results. The reform of territorial administration modified the distribution of powers within the State. This new stage in decentralisation alters how powers are distributed among the different levels of government performing public service roles.

Decentralisation is the reform which has had the clearest impact in the area of roads. Indeed, by transferring a large part of the national roads network to the Districts and, above all, transferring three quarters of the officers of the State's road administration, the Act on local liberties and responsibilities has led to a profound rethink of the organisation of State road services and the means for dialogue between the State and its partners. In particular, the Districts have become central players of the road scene in France. It is for this reason that the report includes the point of view of these new players on decentralisation, a perspective considered rich in information for the international roads community.

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<sup>1</sup> called in French : "*Départements*" (an intermediate level of local government)

# 1 DECENTRALISATION: A NEW DISTRIBUTION OF POWERS

## 1.1 Administrative organisation and decentralisation

France today has three main levels of territorial government: 26 regions, 100 districts and 36,779 municipalities. Each of these three categories of local administration has its own specific history but all of them have been affected by the on-going loosening of central state controls since the French Revolution of 1789.

Since 1884, local matters have been decided on by municipal councils elected on a basis of direct universal suffrage. State prefects ceased to exercise a supervisory role over municipalities in 1970.

The Districts were created in 1790. From 1871, a General Council<sup>2</sup> elected on a basis of direct universal suffrage directed the affairs of the District. The local branches of State services ceased to be the executive arm of government in the Districts in 1982.

Twenty-six territorial planning and economic development regions were created in 1956. They became territorial governments independent from the State in 1982.

This on-going process of decentralisation undertaken through successive laws was symbolically ratified by a revision of the French Constitution in March, 2003, the first article of which states that "(the) organisation (of the Republic) is decentralised."

There were three types of benefits anticipated from a decentralised organisation: firstly, a better identification by each citizen of the responsible and suitably empowered authority for each public policy, secondly, a closer proximity between the citizen and the administrator and, finally, an improvement in public service with each level of territorial government specialising in specific areas.

## 1.2 Transfer of 18,000 kilometres of roads to the Districts

This process of decentralisation concerns all the tasks of public service. In the area of roads, the national road network was comprised of approximately 81,000 kilometres until 1972. In that year, 53,500 kilometres were transferred to the Districts. State action was therefore concentrated on a network of 27,500 kilometres connecting Paris, the French cities with a population of more than 40,000 and the major international hubs.

Over the past thirty years, the national network which emerged from this declassification has developed considerably, in particular, through the construction of approximately 10,000 kilometres of expressways, 8,000 kilometres of which through a concession scheme. As a result, the national roads network was comprised of approximately 38,000 kilometres by the end of 2005.

However, the length of the network was not the reason which prompted the decision for a new transfer. Indeed, this network was not oversized against those of other comparable countries as it is ranked – in terms of density of square kilometre per inhabitant – behind those of Belgium, Italy, Germany, the United States and Japan and is similar to those of Spain and Great Britain.

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<sup>2</sup> The so-called "General Council" (in French: *Conseil général*) is the deliberative body of the District as a local government.

The transfer of 18,000 kilometres of national roads on January 1, 2006 by application of the Act of August 13, 2004 on local liberties and responsibilities is based on the constitutional principle of subsidiarity: “Local governments are empowered to make decisions falling under all competences which can best be exercised at their level” (Art.72).

Already in 2002, the government demonstrated its desire to reach a new, important threshold in decentralisation by initiating “local liberties conferences”, meetings organised by the prefects of each region to bring together all levels of local government and civil society for the purpose of debating the powers which could be better exercised at a level closer to the citizen. One of the stated objectives was to strengthen the powers of the Regions, the local authorities on which France must rely to guarantee its dynamism within the European Union. In fact, Districts are too small in terms of population, territory and economic power in comparison with territorial governments in neighbouring European countries.

The transfer of a part of the national roads to the Districts has not therefore resulted from a postulate or a dogma. It was the end result of discussions and exchanges during which other solutions had been envisaged, for example, the total transfer of national roads to the regions or the transfer of construction and development powers to the Regions coupled with the transfer of maintenance and operation powers to the Districts.

Accordingly, three major decisions were explicitly or implicitly made a result of the passage of the Act.

The first decision was that construction, maintenance and operation powers in respect of one road must not be separated out to different local governments. Indeed, from the point of view of the common interest, major investment decisions (new construction, development or optimisation of the operation of the existing network) can only be made on the basis of an overall vision of the network’s functioning. From a technical point of view, very strong coordination of maintenance, rehabilitation and operation activities is required in order to reduce inconvenience to users and optimise financing. Finally, from a legal perspective, the separation of powers would create a situation of interdependence between the different levels of local government which is not compatible with the law in its current state in respect of the concept of contracting authority and would, in addition, risk contravening the principle of the administrative freedom of local governments.

The second decision is that the level of local government most suited to administering the transferred roads in application of the principle of subsidiarity is the District and not the Region. Indeed, in 2005, the district road networks already comprised more than 360,000 kilometres. Therefore, management, maintenance and construction capacities already existed at the District level. Therefore, creating this capacity at the Region level for no more than a few hundred kilometres per region was unnecessary and risked being inefficient.

The third decision, to which we will return, is that the State must maintain a so-called “structuring” network, which provides for critical functions for the healthy operation of the national economy.

### 1.3 Transfer of services: 30,000 officers concerned

The transfer of legal powers and therefore of responsibilities must be accompanied by a transfer of both human and financial resources to exercise these powers. The principle,

written into the Constitution, is a corollary of another basic principle which is that of the administrative freedom of territorial governments. "Under the conditions set out in the law, these local governments are freely administered by elected councils...No territorial government may exercise control over another" (Art. 72).

The transfer of State personnel to the Districts was undertaken simultaneously with each transfer of road powers and is continuing today with the new transfer of 18,000 kilometres of roads so that the Districts possess all the resources and technical capacities required for them to carry out the policies which they will vote on.

In 1972, the first large transfer of roads to the Districts occurred. However, the devolved State services, the District-level Offices for Infrastructure (*Directions départementales de l'équipement -DDEs*), continued to administer both the national and district roads and to provide technical assistance to the municipalities, in particular for municipal roads and engineering structures. Following the first major decentralisation law in 1982, in February, 1987, the parts of the *DDE* services that were acting on behalf of the Districts as contracting authorities (namely for tasks such as: planning, design, accounting, procurement, land purchase and contentious matters) were transferred.

In 1992, State services which maintain and operate the district roads were put at the disposal of the Districts. The law offered the Districts the choice of two possible forms of organisation. Organisation under the so-called "Article 6" arrangements maintained the unity of the road services: the same services and the same officers of each *DDE* worked both on the national and district road networks. The only modification in relation to the previous organisation was a detailed accounting of hours worked, the State and the District reaching an agreement concerning the amount of work to be performed by each *DDE* on the district network. Organisation in accordance with the "Article 7" arrangements provided for the reorganisation and division of the services: certain *DDE* services were to work exclusively on the national road network and others exclusively on the district network, answering to the orders of the district representative even though under the hierarchical authority of the State representative. In 2006, 24,000 State officers maintained district roads under either Article 6 or Article 7 arrangements.

This interim system was put into place to enable the Districts to organise the administration of their networks at their own pace. Twenty-five years later, the system anticipated by the 2004 law will gradually enter into force between now and 2008, which will complete the total transfer of resources, thereby generalising the Article 7 system.

Indeed, since January 1, 2006, the date of transfer of the 18,000 kilometres of national roads, the employees of *DDE* road services working on the transferred roads (approximately 6,000 officers) have been placed at the disposal of the Districts under the same principle as the Article 6 arrangements. During 2006, the State and district services reorganised in order to enable services to be separated and resources made available under the same principle as the Article 7 arrangements. Accordingly, from January 1, 2007, all State road services working on behalf of the Districts will be wholly transferred, cutting all hierarchical links with the State. Finally, each officer will be able to declare his or her intention to retain the status of State civil servant or join the territorial civil service.

At the conclusion of this transfer, the Districts will completely control the management of the personnel working on the network in terms of recruitment, training, career management, salaries, local administration and management of priorities. They will

thereby assume full responsibility for their activity in relation to the network, a situation which neither the Article 6 nor the Article 7 arrangements totally permitted.

This is a major change for the State road services and the Districts, much more fundamental than the transfer of the 18,000 kilometres of road. Indeed, for the Districts, the transfer of roads amounts to an average increase in kilometres of road of less than 5%. However, at the same time, they become the managers of an average of 300 officers with specific skills to be maintained and developed. As for the State services, they directly managed approximately 390,000 kilometres of national and district roads with 41,000 officers. In the future, they will administer 11,800 kilometres with 10,000 officers. Therefore, this transfer of services is the basic aspect making the reform of State services essential.

#### 1.4 The State as guarantor of the integrity and effectiveness of the network as a whole

Independent of its role as the operator of a structuring national road network, to which we will return, the law places on the State the responsibility for guaranteeing “the integrity and effectiveness of the road network as a whole.”

In the interests of good governance in the service of citizens, strong relationships must be preserved between the different administrators, which for the most part are State road services, companies holding expressway concessions and the Districts. Three forms of relationship are to be either intensified or re-created on case-by-case basis: the sharing of information, collaboration and monitoring.

Concerning road safety, operation, user information and statistical knowledge of networks and traffic flow, the issue is the safety of people and their properties in relation to which the State has a special role, even in respect of networks which it does not administer. When State services administered both the national and district networks, sharing information was not an issue.

Where the expressway concession companies were joint public-private enterprises, their relationship with the State also made that sharing of information equally obvious. But decentralisation on the one hand and the privatisation of expressway companies on the other have made it necessary to legally formalise the role of the State in this regard. The means for sharing information are therefore to be determined on the basis of a win-win strategy. For example, certain information and traffic management centres currently process data concerning roads belonging to different administrators. In certain cases, the great intricateness of networks will lead to these joint structures being maintained.

Currently, the State maintains, develops and distributes rules for industry practice using a scientific and technical network comprised of central technical services, regional engineering units and laboratories and public teaching and research institutions. The interests of different partners converge in respect of having a single, commonly-held doctrine. Therefore they are in agreement concerning two basic principles. Firstly, the scientific and technical network is to remain entirely with the State as its partition would result in a collective loss of knowledge and know-how. Secondly, local governments must participate in both the development of research programmes and the definition of all standards or rules which may be applied in relation to district networks. The implementation of this second principle requires the invention of new modes of collaboration to co-produce and share the doctrine. Proposals are being developed concerning the opening of the so-called “professional specialisation” clubs, the possible merging of the two levels of public service and a clarification concerning the process for

the production of rules of industry practice, etc. Local governments must also examine matters to ensure that their representatives in all working structures present the needs and visions of the 100 Districts. Only a close and revamped form of collaboration among the Districts and between the Districts and the State will enable the uniformity of practices to be maintained through the sharing of a common culture and doctrine, without the need for a systematic recourse to regulations and standards. As this flexible way of creating “rules” is one of the factors which favours innovation, it would be harmful for the entire French road transport community to force itself to enter into a too rigid “standard” system.

In its role as the guarantor of the free circulation of people and goods, the State must ensure that there continues to exist, outside the main structuring network, supplementary or emergency routes to provide for congestion relieving, special hazardous or wide-loaded freight transport, military convoys and transports and the economic servicing of the territory. Special traffic police regulations are applied on these routes, the map of which is determined after notification of the local governments concerned. The law states that “local governments (which are the) owners of roadways classed as priority roads are to communicate with the representative of the State in the District before implementing any projects for the modification of the technical characteristics of these roadways and any measures liable to render these routes unsuitable for their intended use.” The State therefore exercises what is called a legal control. It does not judge the overall worth of the projects which are submitted to it but only their compliance with the law. If at the conclusion of this control process, the State services consider that the submitted project will not allow for the road to fulfil its functions as defined by the law, the State services refer the project to independent judicial authorities which will be required to provide a final ruling concerning the legality of the project. These procedures facilitate the reconciliation of the responsibilities of the State and the principle of administrative freedom of local governments.

### 1.5 The State, operator of a 20,000-kilometer network

The law of August 13, 2004 indicates that “the national roads public domain is comprised of a coherent network of expressways and roads of interest at a national and European level.”

This provision results from an examination of the question based on the observation that the State administered a heterogeneous network of roads: on the one hand, quasi-expressways<sup>3</sup> and expressways constructed over the past 30 years which ensure traffic flows over great distances and serve large regional urban centres and economic centres, on the other, roads whose prime use has gradually become more local as the major modern routes have been developed. These first roads form what is called a “structuring” network, which links the different areas of the country in a coherent manner. This network represents approximately 2% of the French road kilometres but absorbs 25 to 30% of the traffic.

Moreover, these types of roads responding to different needs require different types of administration. For example, on major transit routes such as expressways, it is observed that users pass through a District in under half an hour. To operate this type of road, the scale of a District is not therefore relevant as the objective is to ensure homogeneity of maintenance and the relevance of information concerning traffic conditions over hundreds of kilometres. Therefore, the State remains the level of government best suited to

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<sup>3</sup> In French: “*routes express*” (4-lane roads with almost all characteristics of expressways, a separate class of roads).

administering these routes with a view to operations undertaken in real time, taking full advantage of the information technologies of on-board navigation systems, expressway radios or displays of trip times on variable message panels.

Whilst this observation was well-accepted, the task of determining the national road network was not a simple one. Certainly, a significant length of roads could easily be classed into one of two categories, “road of national or international interest” or “roads of local interest”, but there remained many more complex, special cases. For this reason a system of concertation was established. The State submitted a project to ensure consistency of the national road network after transfer for the opinion of the Districts. Thus, whilst the State had planned to keep only 10,000 kilometres of national roads and non-conceded expressways and 8,000 kilometres of conceded expressways, following the concertation, it retained 11,800 kilometres of government-administered national roads and expressways and 8,000 kilometres of conceded expressways on January 1, 2006.

## **2 NEW STATE ROAD SERVICES: FOR A BETTER SERVICE FOR USERS**

The State finds itself faced with a very considerable organisational challenge, that of going from the direct management of approximately 390,000 kilometres of roads of all types with 41,000 officers to the exclusive management of the structuring network of 11,800 kilometres with 10,000 officers.

### **2.1 The organisation of road services after the reform**

Until 2006, national roads were managed by the District –level Offices for Infrastructure (*directions départementales de l'équipement = DDEs*). These State services exercised responsibilities in various areas of activity: roads, town planning, housing, public works, environment and land development.

In the roads area, each *DDE* is generally organised around two services: a service with responsibility for new investments and works and a service responsible for the administration of the existing network. To ensure maintenance and operations on a day-to-day basis, the roads administration service works through two types of structures: specialised field units dealing exclusively with roads and coming under the authority of the chief manager for roads and multi-functional field units, which, within a defined territory, deal as much with issues of town planning as those of roads or housing and come under the authority of a director of field units.

To administer roads with a strong local interest, it makes good sense to maintain the logic of management within a multi-functional field unit as the central concern is not the optimisation of the performance of road maintenance but more a concept of a “single desk”: the field unit manager is the key contact for local elected representatives and the population of a given territory for all the questions linked to land development and the living environment. This broad vision and in-depth knowledge of a territory allow the *DDE* to remain relevant in its monitoring of territorial developments and its aid to local government projects and enable it to bring a public engineering added value in assistance to contracting authorities. However, by contrast, the *DDE*'s have already taken advantage of the separation of services under “Article 7” arrangements, where applicable (see 1.3 above), to assign the administration of most roads with high amounts of passing traffic to specialised field units which are exclusively responsible for matters of road maintenance and operation, thereby initiating the concept of “route-based administration” for roads for which the operation and safety issues require a special expertise and professionalisation

of teams at all levels from operational employee to field unit manager. A capacity to respond in the case of incidents required also imposes the need for short and clear chains of command. For this reason, these field units are placed under the direct authority of the DDE chief manager for roads

This dual organisation demonstrates the limits of the territorial logic.

## 2.2 Route-based administration of the structuring network

Once roads of local interest had been transferred to the Districts, the specialised field units having demonstrated their aptness to administer the most major of routes, it became obvious that there was a need to take advantage of this opportunity to undertake another necessary reform, this being to raise the level of professionalisation of all the “road” work line by abandoning the logic of territorial multi-functioning for one of specialisation.

To generalise specialised road field units as a component of all *DDEs* was not sufficient. On average, each *DDE* would have had only 120 kilometres to administer, for the most part scattered across the District. In almost all cases, the structures to be put in place would not have had the critical size required to maintain the level of professionalism of teams and the limited size of the units would not have allowed for the creation of attractive job positions.

The scale of the District not being appropriate, examination of the question of organising new services was based on two stances which were never brought into question: the optimisation of the service rendered to users should determine the delimitation of services responsible for road administration and, in the organisation of road services, the issues linked to the operation of the network in service should take priority over issues linked to network development.

Optimising the service provided to users is expressed through several objectives. The first is to render uniform and indicate the levels of service in maintenance and operation on a route which is coherent from the point of view of the users and not from that of the assets manager. The second is to be organised in such a way as to be able to provide users with information in real time concerning dangers or disturbances to traffic which they are liable to encounter on their journey. These two objectives have made it possible to answer the question “What is a route?” on a case-by-case basis. Routes have been defined by using maps of traffic flows enabling a visualisation of interchange points and transit lines using the known information management capacities of existing engineering and traffic management centres (*Centres d'ingénierie et de gestion de trafics = CIGTs*) which ensure the real-time monitoring and management of road traffic and operational measures. A third, purely organisational, objective then must be taken into account to bring together several routes under the auspices of a single road service: each service must have a critical size adequate to deal with inconsistencies in load plans and to enable the creation of road maintenance definition and scheduling units.

These principles for the constitution of routes and road services obviously enabled the development of several schemes relating to the organisation of services. An organisational scheme built around an attempt to comply with regional limits was credible, but many routes ran several tens of kilometres into neighbouring regions, thus posing the question of responsibilities beyond limits. Finally, the Government selected a scheme which strongly marked out administrative limits. The stance taken for the optimisation of the service delivered to users thus led to a major cultural rethink: road services could no longer be contained within the district and region limits which traditionally structure State action.

Giving priority to operational issues as against issues concerning the development of the network entailed an even more fundamental review of cultural values. From the post-war 1950's onwards, reconstruction had been the order of the day in France, both in superstructure and infrastructure. Developing France meant building and equipping. The example of the current development of road networks in China, as was presented with such enthusiasm and pride at the PIARC Council held in Beijing in 2005, recalls the spirit of French engineers in those decades during which strategic construction schemes set the tempo for change. However, this French network has now reached maturity. The future, mirroring the actions of our neighbours in the heart of Europe, is to prioritize the dynamic management of existing roads. In particular, this new importance accorded to operation is manifest in the final decisions taken in relation to staff numbers. The objective was to size maintenance and response centres of a size so as to standardise at a higher level the quality of services and monitoring of the road network and to directly manage in-house responses to incidents and winter maintenance outside of high traffic periods. The simulations having shown that the number of operations officers assigned to the national road network after the transfer would be insufficient, 600 additional positions were created.

The Copernican revolution which would consist of putting the constructor at the service of the operator has not yet taken place. However, there has already been a shift in the balance and the operator is no longer at the service of the constructor. The future inter-district highways offices (Directions inter-départementales des routes = DIRs) will be services whose prime role is operations. In turn, this will especially engender in the senior public servants who are to head these services a sense of responsibility concerning this question. This will be one of the most significant new aspects of this reorganisation. Nevertheless, there are still road developments to be undertaken and this range of activities was not neglected in the reorganisation of the services.

### 2.3 Strengthened capacities for network development

For several years now, there has been an impression that the doubling of the roles of contracting authority and *prime contractor* of new works entailed more difficulties than advantages. Until the present, the new works service was invested with this dual responsibility within the *DDE*. Even if the complementary nature of these positions enabled gains in time in terms of decision-making and the non-formalisation of certain points, the engineering training of the managers of these services often led them culturally to concentrate on technical rather than economic or social concerns. In addition, the decrease in load plans within divided structures has obliged services to award elements of the project management to external design offices, the role of prime contractor thereby being transformed into that of director of operations or sometimes even exclusively that of assembler.

Three objectives have guided the choices of organisation for the development of the network: separating the functions of contracting authority from those of prime contractor, strengthening the contracting authority and reorganising the engineering teams into prime contractor teams.

So as to clearly separate contracting authority from construction authority, these roles will be placed in different structures: contracting authority units (*Services de maîtrise d'ouvrage* = SMOs) within the region-level offices for infrastructures (*Directions régionales de l'équipement* = DREs) and road engineering units (*services d'ingénierie routière* = SIRs) within the interdistrict highways offices. Therefore, the relations between the two

services will necessarily be contractual and formalised in nature. In particular, these work methods will enable contracting authorities to develop their capacity in the management of construction authorities contracts.

The strengthening of the function of contracting authority is all the more necessary in that road projects are becoming more complex. The number of stakeholders is increasing. The control of land is becoming problematic in often highly urbanised areas. To the usual concerns with road alignment and correct roadway design in relation to expected traffic flow have now been added those of sustainable development in environmental terms and a taking into consideration of issues of the sustainable economic development of the areas through which transit infrastructure passes. Civil society is increasingly questioning decision-makers in regard to the public utility of new projects of infrastructure and major development decisions. This requires strong management of the various procedures of information, consultation and concertation from upstream of decision-making until the very concrete construction phases.

In order to best meet these multiple demands which determine the quality of a road project whilst at the same time controlling costs and deadlines, special contracting authority units have therefore been created throughout the country. These are quite light units included within current region-level offices for infrastructure (DREs). Indeed, their proximity to the territories concerned remains a major advantage to having a good knowledge of the main interlocutors. Their position within traditional State structures, functioning from a local territorial perspective, will enable them to benefit from their territorial vantage points, their multimodal approach, their overall vision of issues concerning the territory and their awareness of projects of all types to optimise road projects by incorporating them in an overall dynamic of development.

The reorganisation which is under way provides for the construction authority roles to be organised in such a way that they are better filled than at present. Accordingly, the resources of engineering offices will be grouped into fewer structures. Moreover, the chosen form of organisation is one by projects and not a conventional hierarchical organisation. This type of organisation will make possible better responses to irregular load plans. It will also enable officers to acquire greater technical skills by specialising in certain areas. This increase in skills is made necessary by the increasing complexity of projects. These reorganised and strengthened units should contribute to an increase in the quality of work produced.

#### 2.4 Fewer interlocutors for better governance

Therefore, the new organisation of the State road services is characterised by a specialisation of the entire roads work line.

The number of services has also been considerably reduced: 11 inter-district highways offices and 21 contracting authority units replace the 100 road management services and 100 major works services.

This decrease in the number of interlocutors and the specialisation in areas of expertise should facilitate an improvement in the conduct of national roads policy by making internal dialogue and exchanges easier, when until the present interactivity has been very low, instructions essentially being delivered from the central administration to operational services in the top-down forms of circulars or speeches. Under the best circumstances, it

was possible to create working groups, but these did not necessarily address all the issues and special aspects of the different territories.

The facilities for dialogue and a greater possible responsiveness should also enable more devolution and delegation of technical and financial decision-making. This devolution will occur in a context of a more precise, formalised and individualised management dialogue, made necessary by the application of another administrative reform, which concerns the drafting of the State budget. This reform is now applicable in respect of the basis for justification of resources requested in relation to anticipated objectives. Today, public policies are measured in terms of performance indicators. In the roads area, the indicators which future road services will need to follow are, for example, the number of lives saved by the undertaking of projects (new projects or safety-related refitting), the state of roadways and engineering structures, cost-per-kilometre of construction or even the rate of satisfaction of users.

In addition to the internal dialogue within State road services, there is a need for a reworking of the dialogue with local governments, major public players in the roads sector.

### **3 THE POINT OF VIEW OF THE ASSEMBLY OF FRENCH DISTRICTS<sup>4</sup>**

The General Councils are fully involved in the current roads situation in France, at a time when the process of decentralisation of 18,000 kilometres of national roads is under way, entailing a vast redeployment of services and personnel from the Ministry of Infrastructure to the General Councils – 30,000 officers in all. At the dawn of a new division between local and national authorities of the responsibility for and administration of the road network in France, the General Councils must affirm their position in the definition and implementation of territorial transport and development policies.

#### **3.1 Contracting authorities more in tune with local needs**

Decentralisation in the roads area has been conceived of in accordance with the principle of subsidiarity, the State choosing to recenter its attention on the so-called “structuring” network of 11,800 kilometres of national roads. The General Councils, which already administered a network of 360,000 kilometres of district roads, received an additional transfer of 18,000 kilometres. This strongly underlines the critical role which the General Councils play in the development and competitiveness of French territories through the intermediary network which links the entire country, both serving rural areas and connecting urban centres and the major transport axes between them.

Decentralisation could therefore be summed up as a simple story of amount of kilometres managed and responsibilities already exercised. However, the transfer process which has been underway since 2004 does not only concern the number of kilometres of roads but also the people and organisations which maintain, secure and develop roads.

One significant aspect of the transfer is the incorporation of 30,000 officers from the District-level offices for infrastructure (*DDEs*) into the services of the General Councils.

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<sup>4</sup> Section written by the Assembly of French Districts (*Assemblée des départements de France* = ADF) which represents all the French 100 Districts on a pluralist basis. The ADF offers district elected representatives and technicians the means to compare their ideas, exchange experiences and agree on common positions concerning major national issues.

These officers, some of whom were previously seconded to the district, will join new services, the consequence of which is a vast redeployment of territorial services.

For the General Council services, the decentralisation involves a reform of their territorial presence and an incorporation of new, specific capacities to meet road-related needs. In turn, such changes necessitate forward research concerning training and maintaining the special professional and human features identified with roads. The knowledge capitalised on by the State in terms of training and know-how must be preserved and shared for the benefit of all major actors in the French road sector.

### 3.2 Redefine a new partnership with the State in the area of roads

Decentralising the 18,000 kilometres of national roads of local interest reduces the current network administered by the State to 11,800 kilometres of national roads of which 2,000 kilometres are non-conceded expressways. The parallel transfer of 30,000 officers from the Ministry of Infrastructure, some of whom are already working on district networks, amounts to a small revolution for the devolved services of the Ministry of Infrastructure, which must reconsider both the actions it undertakes and its links with local governments both in the field and from the national level.

The important reform which reshuffles the decentralised organisation of the Ministry of Infrastructure opens new horizons to the General Councils in terms of their technical and territorial presence with municipalities and citizens. These new responsibilities can be illustrated by such examples as:

- the organisation of winter maintenance, which entails the General Councils being at once the organiser jointly with the State and also a “protector” for rural communities in providing a punctual and reliable snow clearance service
- road safety, with the putting into place of safety equipment on district networks, the allocation of the proceeds of police fines to small municipalities and road safety education in junior high schools, etc.

The General Council is henceforth in the front line for the administration, modernisation and rendering safe of a large part of the French road network. The General Council, as the contracting authority, demands resources appropriate to its roles, in particular, to have the engineering capacities essential for the modernisation of an increasingly complex network. Whether special road surfaces (for mountain roads or snow affected roads) or engineering structures, these items point to the need for a sharing of expertise for the benefit of the Districts.

The quality of the French road network owes much to the know-how developed by the State and capitalised on within the scientific and technical network of the Ministry of Infrastructure. This network drew all its force from its ability to develop the doctrine of innovation in accordance with the needs of the public contracting authority of the time, which was the State. Today, the shared technical, human and financial constraints are such that local governments must also have an important place within the network, without this signifying a dismantling of the unity of road standards. Decentralisation effectively raises the possibility of a new form of governance in the area of transport and road policy.

Henceforth, the State and local governments are no longer in a hierarchical relationship but form, rather, a real partnership. Decentralisation opens up new scope for working

through the definition and steering of road policy in France, which must take into consideration the needs expressed by all contracting authorities in order to stay connected to local realities.

### 3.3 Autonomous local governments for an effective policy

Apart from the questions of resources and knowledge, decentralisation is of major financial significance. With 3.2 billion euros in investment and 920 million euros of running costs in 2005, road-related expenses were one of the biggest budget items for the General Councils.

The maintenance, administration and development of the road network represent costs for local governments. Contracting authorities must deal with a variety of expenses for road maintenance, the administration of engineering structures which constitutes an expensive budget item, safety equipment and the development of the network, etc. The decentralisation of roads to the General Councils was accompanied by a much-debated financial transfer. However, two questions remain. Firstly, relating to the development of the network, the road must adapt itself to the economic and social changes of our time. It accompanies change as much as it is a force leading to the selection of sites for economic and residential development. This supposes that the General Councils have adequate investment capacities over the medium to long term. However, strong unease persists as to future road investment in France. The end of multi-party contractual procedures (planning contracts), the weakness of financial transfers in relation to the needs of the district network (whereas the State has allocated 80% of its investment over the past few years to the 3% of kilometres of road which it retains) reduce the margin for manoeuvre of the Districts.

In addition, concerning a broader issue than decentralisation, the financial compensation flowing on from the transfer of national roads of local interest must comply with the financial autonomy of the Districts. Compensation by means of allocation of funds makes the road policies of the General Councils over-dependent on the budgetary choices of the State. A broader debate should be opened concerning the financial and fiscal instruments from which the Districts will benefit in line with their new responsibilities. Also, there might also be discussion, for example, concerning the return of proceeds from fines from automatic speed radars installed on district roads on which the General Councils themselves contribute to rendering infrastructure safe.

## CONCLUSION

In France, the State now has a dual role in the area of roads. On the one hand, it has a legal responsibility to ensure the integrity and effectiveness of the overall road system of the country. It is also responsible for road axes of national or European interest. It exercises this second responsibility not on principle but rather because it is the national level of government which is obviously most suited to the administration of major routes.

The French Republic is now organised on a decentralised basis. The application of this constitutional principle, which is based on the idea that a closer proximity between decision makers and citizens improves the quality of decisions made, leads naturally to a strengthening of the powers of local governments. In the roads area, the Districts have therefore become major players with expanded responsibilities.

The transfer to the Districts of a significant length of roads and a corresponding number of personnel has compelled the State to entirely reorganise road services. At this time, the State fundamentally rethought its logic of action and its objectives in relation to both investment and to maintenance and operation.

In particular, the choice was made to consider infrastructure as the support to a transport service and not essentially as an assets base to be constructed. This new direction has resulted in major changes. It has, for example, led to the new organisation being conceived of in accordance to a logic of major routes, freed from the boundaries of traditional administrative delimitations. It has also prompted the realisation that the definition of network development projects should be guided by the needs of maintenance and operation, the priority for which must be affirmed.

The concomitance of the reorganisation of State road services and the implementation of a new budgetary policy, founded on the responsibility of actors and performance has also contributed to ensuring the acceptance of the idea that the search for efficiency must be at the heart of the new system.

From each side, the State and the Districts are therefore committed to profound reforms. Nevertheless, they must jointly put in place the tools, the resources and the cooperative mechanisms which will enable the provision to road users of a coherent, high-quality service.