

Task:

The OSMF Board has asked the LWG to evaluate the licence of the map tile style (cartography) for the default map at openstreetmap.org and to recommend whether it should be changed from CC BY-SA 2.0, and if so, what the new licence should be.

Background:

When the “standard style” map was created, both it and the map data were under the CC BY-SA 2.0 license. In 2012, the community voted to license the map data under the Open Database License. A corresponding change was not made to the licence for the cartography/style, and the OpenStreetMap website still states “The cartography in our map tiles, and our documentation, are licensed under the [Creative Commons Attribution-ShareAlike 2.0](https://creativecommons.org/licenses/by-sa/2.0/) license (CC BY-SA).”

However, the *code* for the cartographic style used at openstreetmap.org

(<https://github.com/gravitystorm/openstreetmap-carto/>) is under a CC0 license and has been so since 2013

(<https://github.com/gravitystorm/openstreetmap-carto/commit/30248bb62a599391d38831a8df56b30a4d18d6ec#diff-61e0bdf7e1b43c5c93d9488b22e04170>).

Analysis:

The two sources that go into the map tiles on display at openstreetmap.org are 1) the OpenStreetMap data, and 2) the standard map style. Because the current cartographic style came into use as the default on openstreetmap.org *after* the license change to the underlying map data, it would appear the the CC BY-SA licence is a legacy artifact that does not represent either of these sources. Beyond that, the rendering process is automated and not creative. Thus, essentially everything copyrightable that goes into the OpenStreetMap map tiles are under licences considerably less restrictive than CC BY-SA 2.0. It is not clear that there is anything copyrightable for the current CC BY-SA 2.0 to cover.

Under the terms of the ODbL, the OSMF has the legal right to make Produced Works (for example rendered map tiles) from the OSM database, just as anyone else. The OSMF may place those Produced Works under any licence it wishes, as long as it provides appropriate attribution.

Given that the style is under a CC0 licence, and the map (tiles) on the OSM website is a Produced Work under the ODbL, OSMF may select any licence with attribution requirements that fit at least the minimum attribution requirements for Produced Works under the ODbL.

Pros:

- Makes OSM map tiles more easily useable for academics and other using them in other publications or alongside other works

- Harmonizes licences of map tiles, map data, and map style
- May decrease the number of inquiries regarding screenshots and maps rendered in the standard style, saving LWG/Board time

Cons:

- Would be a licence change for the tiles (though not the data), to which some members of the community might object
- Requires work to update the website etc.
- May lead to more requests for other attribution licences or waivers

Note: The conclusion above is that under the terms of ODbL, OSMF may do this like anyone else. Thus, this is not a licence change that would need to be approved by the membership the way that a change to the data license would need.

Recommendation:

I believe the existing CC BY-SA 2.0 license to be incongruous with the licences for the underlying map data and cartographic style code and therefore recommend changing it.

There are a number of existing licences that would qualify, and crafting a bespoke licence is also possible.

Because the rendered map is a Produced Work, it would be most straightforward to say that the map tiles require attribution in the same manner as any other substantial visual use of OSM. (Given the existing guidance, we do not believe a bespoke license is necessary to accomplish this.)

However, the licence most familiar to the public and especially academics is CC-BY. While CC-BY has some limitations that make it *inbound* incompatible with ODbL, it is *outbound* compatible for a Produced Work. Thus, I recommend that the map tiles be also made available under the CC-BY 4.0 licenses, with a [waiver](#) of the technological measures provision ([Section 2\(a\)\(5\)\(B\)](#)). (The ODbL does not require such technological restrictions on Produced Works and including them in the rendered tile license causes additional confusion as to permitted use of the images with no advantage for the OSMF.)

In addition, to accommodate users familiar with other attribution licences and facilitate usage, OSMF also has the option to make the map tiles available under other alternative attribution-based licences. While LWG does not have bandwidth to conduct an exhaustive review of other acceptable licences, we do not want to cut off this possibility and other licences can be considered upon request.

References:

<https://www.openstreetmap.org/copyright>

https://wiki.osmfoundation.org/wiki/Licence/About_The_Licence_Change

<https://github.com/gravitystorm/openstreetmap-carto>

<https://blog.openstreetmap.org/2017/03/17/use-of-cc-by-data/>