

**COMBINED EVALUATION ROADMAP/INCEPTION IMPACT ASSESSMENT**

This combined evaluation roadmap/Inception Impact Assessment aims to inform citizens and stakeholders about the Commission's work in order to allow them to provide feedback on the intended initiative and to participate effectively in future consultation activities. Citizens and stakeholders are, in particular, invited to provide views on the Commission's understanding of the current situation, problem and possible solutions and to make available any relevant information that they may have, including on possible impacts of the different options.

<b>TITLE OF THE INITIATIVE</b>	Revision of the Directives of the Roadworthiness Package
<b>LEAD DG – RESPONSIBLE UNIT – AP NUMBER</b>	DG MOVE.C2 – Road Safety
<b>LIKELY TYPE OF INITIATIVE</b>	Ordinary legislative procedure - Directive
<b>INDICATIVE PLANNING</b>	Q1 2023
<b>ADDITIONAL INFORMATION</b>	<a href="https://ec.europa.eu/transport/road_safety/">https://ec.europa.eu/transport/road_safety/</a>

**This combined roadmap/Inception Impact Assessment is provided for information purposes only. It does not prejudice the final decision of the Commission on whether this initiative will be pursued or on its final content. All elements of the initiative described by this document, including its timing, are subject to change.**

**A. Context, Evaluation, Problem definition and Subsidiarity Check**

**Context**

The Sustainable and Smart Mobility Strategy ([Mobility Strategy | Mobility and Transport \(europa.eu\)](#)) adopted on 9 December 2020, has reconfirmed the Union's commitment to pursue improving road safety and the objective of zero road fatalities by 2050. In this context, the Strategy also called for adjustments to the roadworthiness legislative framework in order to ensure lifetime compliance of vehicles with emission and safety standards, thereby contributing to the 2018 Strategic Action Plan on Road Safety and supporting the European Green Deal's objectives

Roadworthiness inspections of vehicles are fundamental to road safety and to ensure the environmental performance of vehicles during their lifetime. As a result of stricter safety and emission legislation, vehicles in the EU become technically ever more complex. To keep pace with this trend, major adaptations to how vehicles are inspected are necessary.

In addition, enhanced and more effective EU-wide exchange of roadworthiness-relevant vehicle data would help better enforcement of road safety in the EU, improving the functioning of the internal market and protecting citizens from fraudulent malpractices, such as odometer tampering.

In view of the above, it is timely to assess how well the Directives of the Roadworthiness Package<sup>1</sup> have performed since their latest update, specifically in terms of effectiveness, efficiency, relevance, coherence and EU added value, taking account of the current, complex vehicle technologies. Given that stricter emissions provisions already apply, and enhanced safety features will apply in the near future (General Safety Regulation), enhanced roadworthiness testing provisions are required as soon as possible. Therefore, the evaluation and impact assessment which will be carried out in parallel are considered to be the appropriate tool to determine first how the existing legislation has performed, and what issues need to be addressed in addition to the ones already identified.

**Evaluation**

The evaluation will assess the implementation and effectiveness of the three Directives of the Roadworthiness Package, nearly 7 years after their adoption and 3 years after their application.

It will examine whether the Directives and their specific measures have been effective and appropriate in delivering on their key objectives, as well as whether they have done so efficiently and coherently and have created EU added value.

<sup>1</sup> The "Roadworthiness Package" consists of the Directives on the periodic roadworthiness tests for motor vehicles and their trailers (Directive 2014/45/EC), the technical roadside inspections of commercial vehicles (Directive 2014/47/EC), and the registration documents for vehicles (Directive 1999/37/EC as amended by Directive 2014/46/EC)

Also, the evaluation will assess the extent to which the provisions of the Directives are still relevant to address the higher technological complexity as well as the significantly more stringent safety and environmental requirements with which vehicles nowadays have to comply.

The evaluation will seek to clarify whether projected results of the current implementation practice are sufficient to deliver on the needs to enhance road safety and positively foster the reduction of road fatalities and serious injuries in line with the EU Road safety policy framework 2021-2030<sup>2</sup>, as well as to ensure environmental protection.

The conclusions of the evaluation, which will cover all EU-27 Member States, will feed into the impact assessment that follows.

#### **Problem the initiative aims to tackle**

The introduction of (a) advanced vehicle safety features (mandated by the General Safety Regulation from 2022 onwards) and of (b) significantly strengthened emission legislation, led vehicles in the EU to become technically ever more complex. To keep pace with this trend, adaptations in the methods of inspecting vehicles throughout their lifetime are necessary. These also require fundamentally new approaches in the field of vehicle testing covered by the Roadworthiness Package: visual and mechanical vehicle inspections, which are still the predominant modes up to date, will progressively need to be complemented or even replaced by inspection modes that access vehicle status and operational data by means of the electronic vehicle interface. Only in this way can it be ensured that vehicles maintain their enhanced (and technically more complex) safety and emissions-related features over their entire operational lifetime.

In addition, Member States have repeatedly reported difficulties in effectively enforcing road safety measures in EU cross-border traffic and vehicle trade. These mostly have their origin in difficulties for competent authorities in accessing vehicle register data and other safety-relevant information of vehicles, notably when these are registered in another Member State. These difficulties also negatively impact upon the fight against the widespread malpractice of odometer tampering which, in itself, negatively affects road safety and consumers in the EU.

#### **Basis for EU intervention (legal basis and subsidiarity check)**

The legal basis for the EU intervention are Articles 4 and 91 of the Treaty on the Functioning of the EU, according to which the European Parliament and Council should adopt measures to improve transport safety.

At the same time, the EU should act only if the objectives of the proposed action cannot be sufficiently achieved at national level, as set out under the principle of subsidiarity in Article 5 of the Treaty. Thus, the EU may adopt minimum requirements for the technical inspection of vehicles and the exchange of roadworthiness-relevant data of vehicles in accordance with the principle of subsidiarity, with a view to achieving a common minimum level of vehicle safety for the cross-border circulation of vehicles within the EU. However, those minimum requirements should not go beyond what is necessary to achieve the abovementioned objectives and what cannot more effectively be met by regulatory actions at Member State, regional or local level.

## **B. Objectives and Policy options**

While contributing to the digital transformation of EU road transport, the **general objectives** of the new initiative are threefold: 1) to improve road safety, 2) to contribute to more sustainable and smarter mobility and 3) to facilitate and simplify the free movement of people and goods in the Union.

The **specific objectives** are (a) to ensure the functioning of modern electronic safety components, advanced driver assistance systems and automated functions during the vehicles' lifetime, (b) to perform meaningful emission tests during vehicle inspections and (c) to improve the electronic storage, read-out and exchange of roadworthiness-relevant vehicle identification and status data between EU Member States as well as performance data, building amongst others also on the digitalisation of administrative documents and certificates.

The Commission will identify a set of policy options to achieve these objectives. They will take into account all the results of the evaluations/studies once these are available.

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<sup>2</sup> Commission Staff Working Document, EU Road Safety Policy Framework 2021-2030 - Next steps towards 'Vision Zero', SWD(2019) 283 final

This impact assessment will analyse the impacts of different policy options against the baseline scenario. The baseline will be defined up to 2050. It will include the existing Roadworthiness Package and other relevant legislation (existing and soon-to-be-adopted). Among others, it will include the General Safety Regulation and current Euro 6/VI emission legislation, as well as the adopted policy package delivering on the European Green Deal. This implies that the possible impacts of the revision of the Roadworthiness package will be calculated as expected difference from this baseline, thus including any relevant interactions thereof.

Through the different policy options, the Commission will examine different degrees of ambition and the most suitable regulatory approaches. The impact assessment will further scope and analyse the relevance and benefits of a wide set of potential measures under these options. Aspects to be explored in this context include but are not limited to:

For Directive 2014/45/EC on the periodic roadworthiness tests for motor vehicles:

- Methods to test the functioning of safety-relevant electronic components, advanced driver assistance systems (ADAS) and automated functions
- New methods for measuring exhaust emissions in order to overcome current shortcomings (e.g. absence of particle number (PN) and NO<sub>x</sub> measurements)
- New methods for reading out on-board data stored in the vehicles
- Electronic Periodical Technical Inspection (ePTI) of vehicles
- Adjustment of scope (N1, M1 vehicles, powered two- and three-wheelers,...)
- Requirements and means for effectively fighting odometer fraud and tampering,
- Mandatory data exchange of roadworthiness certificate data to verify their validity during the re-registration in another EU Member State, including aspects linked to cybersecurity and data protection

For Directive 2014/47/EC on the technical roadside inspections of commercial vehicles:

- Follow-up in the Member States (MS) of registration in case of a notification received after prohibition or suspension abroad
- Mandatory cargo securing provisions and increasing the level of harmonisation
- Electronic data exchange and storage, granting cross-border access to Roadside Inspection (RSI) authorities, including aspects linked to cybersecurity and data protection
- Extension of scope (N1, M1 vehicles, powered two- and three-wheelers,...)
- Extended emission testing (NO<sub>x</sub>, PN,...), including the use of remote sensing equipment

For Directive 1999/37/EC as amended by Directive 2014/46/EC on the registration documents for vehicles:

- Improved exchange of roadworthiness data between Member States in electronic format
- Set up of electronic tools/platforms to improve communication and information exchange between national contact points and to ensure that the data content of vehicle registers is accurate and up to date
- Full digitalisation of the registration documents
- Adding odometer data and odometer history data to the vehicle register
- Measures to facilitate the proper treatment of End-of-Life Vehicles (ELV)

The policy options will also seek to establish appropriate monitoring indicators in order to allow for an effective monitoring of the actual effects of implementing the measures proposed.

## C. Preliminary Assessment of Expected Impacts

### Likely economic impacts

Preliminary impacts are identified below. Stakeholder consultations and a combined evaluation/impact assessment will help to further examine and quantify the identified impacts to determine their net economic impact on society.

From a global perspective and considering the yearly EU societal costs of €280billion resulting from road crashes<sup>3</sup>, the expected decrease in fatalities and serious injuries would have a positive overall economic impact. Improved control of air pollutant emissions will reduce health and environmental costs, thereby increasing consumer trust.

<sup>3</sup> Handbook on the external costs of transport, 2019

Positive impacts are expected for operators of technical inspection stations and suppliers of measurement equipment, as a result of the extension of the scope of testing activities. Authorities performing roadside inspections are likely to face higher enforcement costs, resulting both from the need to purchase new equipment and to implement measurement techniques. However, there might be gains from improvements in effectiveness through better data availability in electronic format, eventually allowing more targeted and selective inspections.

For the private sector, particularly road transport services and businesses relying on them, no major impacts are expected. For manufacturers, costs for the technical adaptation of vehicles to access data by means of electronic interface are expected to be minor, in light of the current state of the art technologies.

There might be higher inspection costs for vehicle owners resulting from an extended scope of vehicles and testing activities, though these higher costs are expected to be partially offset by more efficient and effective testing methods of certain vehicle functions by electronic testing means. On the consumer side, buyers of used vehicles can expect better transparency and prevention of fraud. The administrative burden will be reduced for citizens and businesses through the digitalisation of vehicle documents and the simplification of administrative procedures.

No adverse impacts are envisaged on trade and investment in the EU, the international competitiveness of the EU road transport sector, or on SMEs.

#### **Likely social impacts**

By identifying technical defects, manipulation and tampering, the safety of vehicles is substantially increased. This leads to the reduction of road accidents and, as a result, a decrease of fatalities and serious injuries.

Better control of vehicle emissions contributes to improvements of public health by cutting the mortality and morbidity caused by air pollution, which affects urban populations in particular. Air pollution has become the leading environmental burden on public health, leading to cardiovascular and respiratory impacts, among others.

Employment levels in the measurement equipment sector are expected to be positively affected.

Citizens and businesses alike will benefit from the simplification of administrative procedures by the digitalisation of documents and a better exchange and availability of relevant vehicle data in cross-border traffic.

#### **Likely environmental impacts**

Better control of air pollutant and greenhouse gas emissions and energy consumption from vehicles during their operational lifetime will improve the environmental performance of the vehicle fleet in the EU and in this way contribute to cleaner air and to a lower environmental footprint of the road transport sector in the EU.

The digital transformation will also have a positive environmental impact by reducing the consumption of natural resources.

#### **Likely impacts on fundamental rights**

A positive welfare impact on society can be expected from strengthening fundamental rights: the initiative is expected to have a positive impact on the application of the EU Charter of Fundamental Rights, notably on security, free movement and good administration.

#### **Likely impacts on simplification and/or administrative burden**

Improving the electronic storage and cross-border exchange of safety-relevant vehicle data will lead to a substantial reduction in the administrative burden for the enforcing authorities, and will enable roadside inspections to be performed in a more effective and efficient manner. The latter, in turn, will translate into reduced administrative downtimes required for vehicle inspections, which will be to the benefit of road transport services and businesses.

In addition, decreased operating costs can be expected for citizens, the Member State administrations, and the road transport services, from the simplification of the digitalisation of relevant documents and administrative procedures.

The initiative intends to define appropriate monitoring indicators to evaluate the effectiveness and efficiency of the newly introduced measures. Efforts will be made to quantify to the extent possible any impacts of the different options on the administrative burden and compliance costs.

### **D. Evidence base, Data collection and Better Regulation Instruments**

#### **Impact assessment**

An evaluation and an impact assessment will support the development of this initiative and will inform any Commission proposal. The impact assessment support study and consultation activities are planned to start in Q3 2021.

### **Evidence base and data collection**

The Commission produced and published in 2020 reports on the [implementation of Directive 2014/45/EU](#) and the [implementation of Directive 2014/47/EU](#).

The European Parliament published in 2021 an own-initiative [report on the implementation of the road safety aspects of the Roadworthiness Package](#), in 2019 an assessment [report on the implementation of the roadworthiness package](#), and in 2017 a [study on odometer tampering and measures to prevent it](#).

A large number of complaints (“CHAPs”), results of infringement cases related to the Directive, and references for preliminary ruling of the European Court of Justice are available in relation to roadworthiness testing and registration documents, which the Commission will also take into account. In addition, relevant publications and statistics by Eurostat will be considered, where available.

In order to collect the evidence needed for this initiative, a support study for the impact assessment will be contracted to gather and analyse additional data and information, through desk and field research activities, including comprehensive stakeholder consultation activities. Data available from Member States’ reporting obligations will be used to better quantify the contributions of root causes of any problems identified, and to quantify the likely impact of policy options.

### **Consultation strategy**

The consultation activities aim at:

- providing the concerned stakeholders (vehicle inspection bodies, road safety and environmental NGOs, testing equipment manufacturers, automobile clubs, automotive/motorcycle federations (FIA, FIM) and vehicle manufacturer associations, etc.), citizens and Member States with an opportunity to express their views and opinions regarding the key elements of the initiative and the impact assessment and to provide evidence for answering the evaluation questions; and
- gathering specialised inputs (data and factual information, expert views, ...) from key stakeholders, in particular on the various problems, policy measures and options considered under the initiative, as well as their expected impact.

The planned consultation activities will follow the Better Regulation Guidelines and will include:

- a 4 week feedback period on the present combined evaluation roadmap / inception impact assessment;
- a public consultation, based on a questionnaire available in all of the 24 official EU languages, to which respondents can reply in any of the 24 official EU languages. It will address both
  - the evaluation of the existing provisions of the Roadworthiness Package; and
  - the impact assessment of the policy options identified for the revised Roadworthiness Package.

The consultation will be published in early 2022 on the [public consultation portal](#) of the Europa website for a minimum consultation period of 12 weeks.

- a targeted consultation (surveys and/or interviews) of selected stakeholders as part of the support study, organised in two streams:
  - one focusing on the evaluation of the current Roadworthiness Package; and
  - one looking into the newly identified policy options.
- a regular exchange with the Roadworthiness Expert Group (RWE) set up in 2020 as Commission expert group on roadworthiness; it has already met in September and November 2020.

The results of the consultations will be compiled in the form of a synopsis report as an annex to the Impact Assessment

### **Will an Implementation plan be established?**

An implementation plan is not foreseen at this time, but one may be considered when the preferred option has been selected. This implementation plan would address the possible implementation challenges that the preferred option and certain new or updated provisions (for example, provisions related to digital registration documents or the data exchange) are likely to face.