



EUROPEAN COMMISSION
IMPACT ASSESSMENT BOARD

Brussels, 18 MAI 2009
D(2009) 3968

Opinion

Title **Impact Assessment on: Proposal for a Regulation of the European Parliament and of the Council concerning type-approval requirements for agricultural vehicles**

(draft version of 18 April 2009)

Lead DG **ENTR**

1) Impact Assessment Board Opinion

(A) Context

The current legislative framework for type-approval requirements for agricultural vehicles consists of a framework Directive 2003/37/EC and 23 separate technical directives, themselves amended by 36 further directives to reflect technical progress. This EC framework is mandatory for vehicles T1, T2 and T3. For the remaining types of vehicles (T4, T5, C, R, S), the approval requirements are optional and, in many cases, have not yet been set. This impact assessment accompanies the proposal which aims at the same time to simplify legislation and remove obstacles to the internal market.

(B) Positive aspects

The report is accessible to the non specialist reader and makes a good effort to quantify the costs/benefits.

(C) Main recommendations for improvements

The recommendations below are listed in order of descending importance. Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

General recommendation: While the report contains most of the relevant elements, it should better present the sector, the impacts, the preferred option and the simplification cost/benefits. The report should provide an overview of the size and regional scope of the markets for each type of agricultural vehicles and in particular the role played by SMEs. It should clarify the presentation of policy options, and

Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11. Office: BERL 6/29. Telephone: direct line (32-2) 2981898. Fax: (32-2) 2965960.

E-mail: impact-assessment-board@ec.europa.eu
Website: http://www.cc.cec/iabi/index_en.cfm

explain why the combinations of international standards with no EU action or with voluntary agreements are not considered as viable options. The report should be more explicit about the implementing measures. It should address further the possible costs of simplification.

DG ENTR agreed during the meeting to take these comments on board.

(1) Provide an overview of market for each type of agricultural vehicle concerned and focus on the relevance of SMEs in this market. The report should in particular provide figures on the size of the market and give quantitative indications on the relevance of SMEs, and address the extent to which there is cross-border trade for these vehicles. In this context, the report should explain the reasons why there is no pressure for a complete EU type-approval for vehicles T4, T5, C, R, S (e.g. small size of the market, regulation at national level).

(2) Clarify the presentation of policy options and explain non-viable options. The report should be more explicit about the content of the preferred policy option and how it deals with the SME issue ("SME test"), and make clear that the policy proposal will aim to implement all three categories of options (i.e. simplification I, simplification II and completion of the regulatory framework). It should also explain why the options combining (i) no EU action and international standards and (ii) voluntary agreements among producers and international standards are not considered as viable options (for example, international standards do not fix limits/values, voluntary agreements are not acceptable to national authorities).

(3) Provide more details on the implementing measures. The report should be more explicit about which technical aspects would be regulated through international standards, and which ones through EU implementing measures. It should specify how the implementing measures would address the road safety, protection of workers and environment aspects (such as noise, emission limits). It should explain whether separate impact assessments will be provided for future implementing measures.

(4) Elaborate further on costs of simplification of the legislation. While it may be difficult to provide any quantification, the report should address explicitly the fact that the simplification process, in addition to creating benefits, can entail administrative costs for Member States in terms of repealing the directives and related implementing measures.

(D) Procedure and presentation

The impacts on costs should be presented more concisely in the analysis of impacts section of the report, and key figures should be brought into the executive summary.

2) IAB scrutiny process

Reference number	2009/ENTR/001 (CLWP / 2009 / simplification)
Author DG	ENTR
External expertise used	No
Date of Board Meeting	13 May 2009
Date of adoption of Opinion	18 MAI 2009