

EVALUATION ROADMAP			
TITLE OF THE EVALUATION	Evaluation of Directive 2006/1/EC		
LEAD DG – RESPONSIBLE UNIT	DG MOVE, UNIT D3	DATE OF THIS ROADMAP	09 / 2015
TYPE OF EVALUATION	Evaluation Ex-post Mixed	START DATE	Q2 / 2015
		PLANNED COMPLETION DATE	Q4 / 2015
		PLANNING CALENDAR	http://ec.europa.eu/smart-regulation/evaluation/index_en.htm
This indicative roadmap is provided for information purposes only and is subject to change.			

A. Purpose
(A.1) Purpose
<p>The evaluation is to find out whether the provisions of Directive 2006/1/EC on the use of hired vehicles without drivers for the carriage of goods by road – which in their current version essentially are from the year 1990 (Directive 2006/1/EC being the result of a codification exercise), some date even from 1984 – still reflect today's transport policy priorities and meet the needs of the European economy.</p> <p>Moreover, the evaluation is to assess whether and if so to what extent the objectives of the Directive (which are identical to those of the original Directive 84/647/EEC that has been repealed by Directive 2006/1/EC) have been achieved and whether the objectives would be better achieved if the rules were adapted accordingly. It should find out whether there are any unintended positive or negative effects of the Directive.</p> <p>For instance, the evaluation should find out to what extent the possibility to forbid the use for cross-border transport operations of hired vehicles registered in a country other than the one where the undertaking hiring the vehicle is established prevents companies from meeting seasonal demand peaks and to what extent it prevents hauliers from benefitting from the best leasing deals available on the market.</p> <p>The evaluation should also look at the question to what extent national restrictions on the use of hired vehicles by companies who provide transport services on own account (i.e. carry their own goods) – which under the current rules are still possible – have an impact on the efficiency of the undertakings in question. If no vehicles can be hired by the companies in question, they have essentially two possibilities: they either buy a vehicle or they ask a professional transport operator who offers his services for hire and reward to do the job. Some in-depth analysis on what is being done, and how, will help understand the impact of the Directive on the haulage business.</p> <p>As vehicles, which are newly placed on the market, often find their way to the customers through a leasing agreement, the average age of leased vehicles is lower than the average age of the entire fleet. The evaluation should find out to what extent remaining restrictions of any kind on the use of leased/hired vehicles slow down fleet renewal and hence lead to more pollution and less innovation.</p> <p>The results of the evaluation may provide the basis for a subsequent impact assessment of possible amendments to the legal act that may be required to improve the functioning of the Directive (in terms of achieving its objectives) and to adapt it to today's policy priorities and economic context.</p>
(A.2) Justification
<p>More than 25 years after the last report on the implementation of the Directive has been adopted (COM(89)430), it is appropriate to assess whether the legal act still achieves its main objectives. It should also be assessed whether the Directive still fits in the current policy environment.</p>

B. Content and subject of the evaluation
(B.1) Subject area
<p>Directive 2006/1/EC entered into force on 25 February 2006. It is the codified version of Directive 84/647/EEC which has been amended by Directive 90/398/EEC. The Directive lays down common rules for the use of hired vehicles without drivers for the carriage of goods by road. It allows the use of hired vehicles for the purposes of traffic between Member States under certain conditions. It gives Member States the possibility to restrict the use of hired vehicles for own account operations.</p>

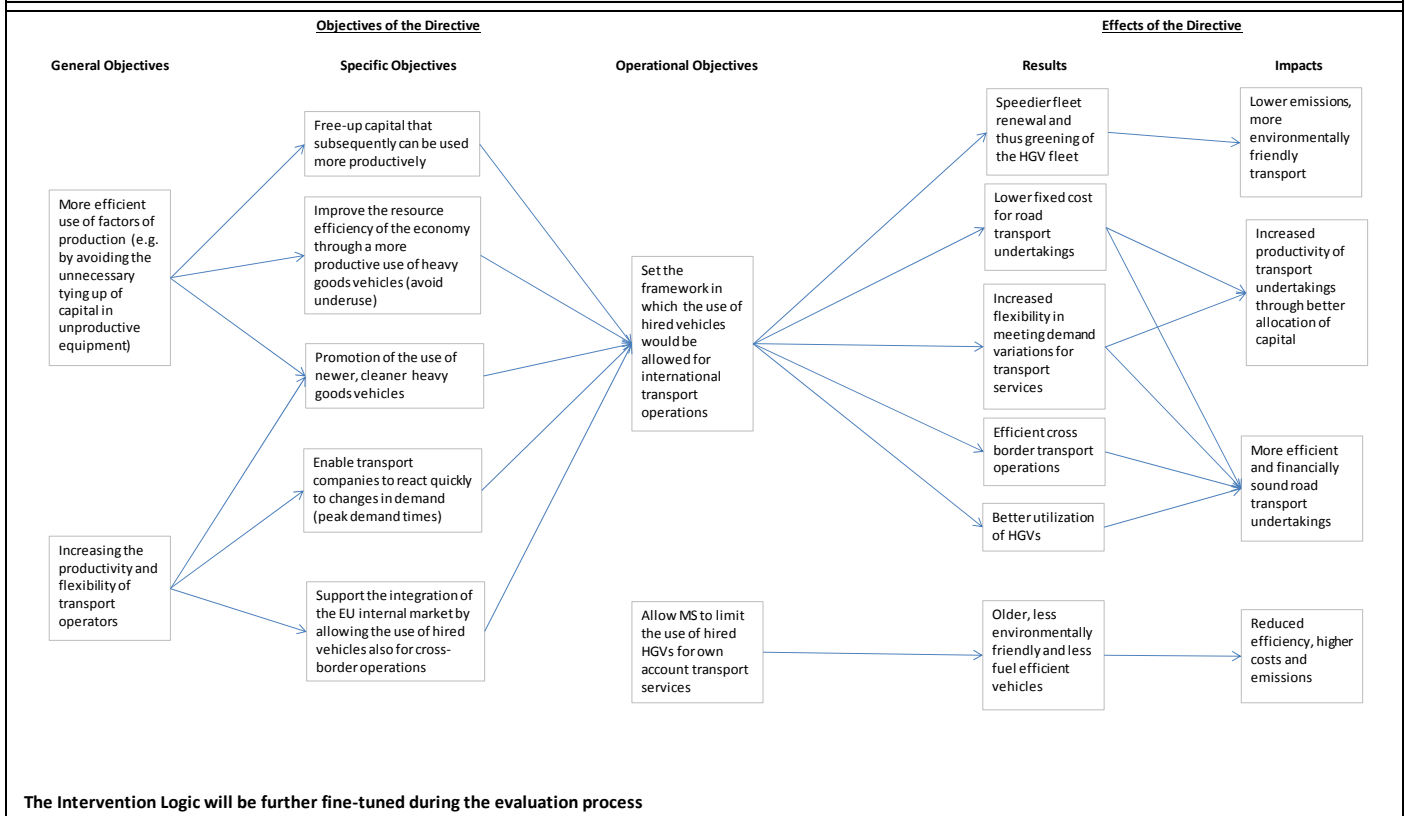
(B.2) Original objectives of the intervention

The Directive has two main objectives:

(1) From a macroeconomic point of view, it aims at improving the allocation of resources by limiting the wasteful use of factors of production. In case a goods vehicle is not needed for everyday business, hiring such vehicle for a certain time span can make economic (and business) sense. Money that would otherwise be spent on purchasing a goods vehicle, which would then be underused, can be better spent on other, more productive things. Moreover, hired vehicles tend not only to be used more than other vehicles but they are in general also newer thus more cleaner and fuel efficient, improving the overall resource efficiency of the economy.

(2) From a microeconomic point of view, it aims at increasing the productivity of transport companies by allowing transport to be organised in a more flexible way. Companies can react more quickly to changes in demand if they are able to hire a goods vehicle to use it also for the carriage of goods across borders. Moreover, transport companies who are faced with seasonal demand peaks need not buy additional vehicles but may just hire them.

(B.3) How the objectives were to be achieved



C. Scope of the evaluation

(C.1) Topics covered

The evaluation covers all the relevant provisions of Directive 2006/1/EC (Articles 1 to 5). The evaluation should go as far back as data are available, possibly to 1990. It should cover all 28 current Member States of the EU and distinguish between own account transport operations and transport operations for hire and reward.

(C.2) Questions/issues to be examined

Relevance:

1) Given the development of road haulage markets over the last 25 years, does the Directive still meet the needs of the European economy in terms of flexibility and efficiency of road haulage operations and reflect current policy priorities?

Effectiveness:

2) To what extent has the Directive affected the productivity / operating costs of undertakings and the flexibility in the organisation of transport operations?

3) To what extent has the Directive affected the use of factors of production (e.g. by avoiding capital to be tied up unnecessarily)?

4) To what extent have the exemptions possible under the Directive impacted the effectiveness of the Directive?

Efficiency:

5) What are the costs of compliance with the provisions of the Directive for specific stakeholders such as leasing companies, vehicle manufacturers, haulage operators, own account carriers etc.?

6) What are the costs incurred by national authorities for implementing and enforcing the Directive?

7) To what extent are the overall costs which complying with the Directive impose on haulage companies and on own account carriers on one side and which the implementation of the Directive places on national authorities on the other side proportionate to the expected benefits of the Directive?

8) Are there ways to reduce the costs and to improve the cost/benefit ratio of the Directive?

Coherence:

9) To what extent are the provisions of the Directive coherent with other legislation governing the road haulage market, in particular the common rules for access to the international road haulage market (Regulation) EC No 1072/2009 and the common rules concerning the conditions to be complied with to pursue the occupation of road transport operator (Regulation (EC) No 1071/2009)?

10) To what extent are the provisions of the Directive compatible with current EU policy priorities in other fields (e.g. environmental protection, GHG emission reduction, energy efficiency/resource efficiency)?

European Added Value:

11) What is the added value of the Directive at EU level? Would national rules not be sufficient to achieve the objectives of the Directive (i.e. the same level of resource efficiency and of productivity and operational flexibility)?

(C.3) Other tasks

The evaluation should also provide the following output:

- Market developments and changes in the framework conditions for EU hauliers at least since 1990 (e.g. EU enlargements)
- Overview and evolution of the market for hired heavy goods vehicles (HGV)
- Overview of the use of hired vehicles in the market segment for own account transport and in the segment offering transport services for hire and reward
- Overview of national regimes regarding the use of hired HGV and of national restrictions
- Development of the average age of HGV in the entire vehicle fleet and in the fleet of leased/hired vehicles, distinguishing between vehicles used for own account transport operations and those used for transport services offered for hire and reward
- Analysis of the extent to which national restrictions on the use of hired HGV have slowed down fleet renewal and hence led to more pollution and less innovation
- Suggestions for a possible follow-up to improve the functioning of the market for hired HGV and of the road haulage market in the EU

D. Evidence base

(D.1) Evidence from monitoring

N/A

(D.2) Previous evaluations and other reports

Report from the Commission to the Council on the use of hired vehicles without drivers for the carriage of goods by road (COM(89)430 of 13.09.1989; <http://aei.pitt.edu/3758/1/3758.pdf>). It provides some information on the situation in the then EU-12 and may be used as a starting point for the current evaluation.

(D.3) Evidence from assessing the implementation and application of legislation (complaints, infringement procedures)

No cases of infringements are known; no complaints regarding incorrect implementation of the rules have been received; (lack of) compliance with the rules appears not to be an issue.

And yet, the Commission has received some questions as to the appropriateness of certain provisions of the Directive in the context of today's transport policy priorities as described in the 2011 White Paper (COM(2011)144) (e.g. resource efficient transport, reduction of negative environmental impacts of transport).

(D.4) Consultation
<p>The consultation of stakeholders will be an essential part of the evaluation. Other Commission services are represented in the Steering Group and are requested to provide relevant input on an on-going basis.</p> <p>The competent authorities of Member States will be contacted to get an idea how and at what cost the Directive is being implemented and enforced. Moreover, they will provide an overview of the national provisions / restrictions governing the use of hired HGV.</p> <p>Haulage companies, leasing companies and vehicle manufacturers (represented by their respective trade associations if appropriate) will be contacted to find out what impact the Directive has on their business.</p> <p>Other stakeholders, e.g. those dealing with transport and environmental issues, will be contacted to see whether the Directive works from their perspective.</p> <p>The consultation of the stakeholders is foreseen to be carried out in Q4/2015.</p>
(D.5) Further evidence to be gathered
N/A

E. Other relevant information/ remarks
N/A