EUROPEAN COMMISSION

Brussels, 13.3.2019
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REGULATORY SCRUTINY BOARD OPINION

Commission Delegated Regulation supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the deployment and operational use of cooperative intelligent transport systems

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EUROPEAN COMMISSION
Regulatory Scrutiny Board

Brussels,
Ares(2018)

Opinion

Title: Impact Assessment / Delegated regulation C-ITS Directive: Specifications for Collaborative ITS

(version of 13 September 2018)*

Overall opinion: POSITIVE WITH RESERVATIONS

(A) Context

New technologies can make road transport safer and more efficient. Cooperative intelligent transport systems (C-ITS) let vehicles connect with each other and with road infrastructure. Large-scale deployment has not yet taken place, however. One obstacle is that there is not an agreed common approach in Europe.

The Commission created a C-ITS expert group to develop a shared vision and implementation solutions. Based on reports from this group, this initiative would create a legal framework for C-ITS. It is mandated by the ITS Directive and proposes minimal requirements to ensure interoperability, backward compatibility and service continuity.

(B) Main considerations

The Board finds the report well-structured and appreciates the written responses to the Board's questions.

However, the report still contains shortcomings. As a result, the Board expresses reservations and gives a positive opinion only on the understanding that the report shall be adjusted in order to integrate the Board's recommendations on the following key aspects.

(1) The report does not make sufficiently clear the need for a step-wise approach to reach the objectives of the initiative. As a result, the choice of the preferred option does not clearly flow from the analysis and presentation of the report. The option concerning a stronger intervention based on V2V mandate and governance structure does not allow to address fully the issues at stake.

(2) The report does not explain why it does not (yet) address stakeholder concerns on the safety of vulnerable road users and environmental impacts.

* Note that this opinion concerns a draft impact assessment report which may differ from the one adopted.

(C) Further considerations and adjustment requirements

(1) The report should show why it is advisable to address interoperability now and deployment later. The analysis should take into account the risks of such a stepwise approach, in particular in terms of collusive behaviour of the car industry. The report should further clarify that a strong intervention based on V2V mandate and governance structure (option 3) is not a standalone option. It would require an additional impact assessment and a different legal proposal to implement. In addition, the report should discuss why a strong intervention is premature or not possible at this point in time. Finally, the report should briefly explain the rationale for retaining the light intervention based on non-legislative measures (option 1), given how little it would seem to deliver on the objectives.

(2) The report should better demonstrate that options are future proof. It should explain how newly emerging standards fit into the framework in the future while remaining backward compatible with older versions. It should provide more information on the role that different technologies can play in cooperative intelligent transport systems.

(3) The report should better explain how it addresses the concerns of vulnerable road users, such as pedestrians and cyclists, and how the initiative might affect them. In this context, the report should clarify what services intelligent transport systems already deliver and which ones they will plausibly deliver in the future.

(4) The report should take care not to create unrealistic expectations with regard to safety and environmental benefits. It could make clearer that the initial focus is on road safety. This discussion should also include an explanation of how these benefits depend on the deployment of specific services (for example, Day-1 and Day-1.5 services), so that some benefits will materialise sooner than others. The report should be more transparent on the contribution (in terms of magnitude and timespan) of the preferred option to road safety and transport emissions, in comparison to what a stronger intervention on V2V (option 3) is expected to deliver.

(5) The report should elaborate on the role of road-side C-ITS infrastructure and the extent to which it is needed for C-ITS to function efficiently and effectively. This should describe the necessary contributions from and choices available to national, regional and public authorities.

(6) The report should add information about how the initiative addresses data protection issues. The report should clarify the nature and scope of the data at stake and where additional data protection adjustments are needed when data is processed for road safety and traffic efficiency (i.e. data minimisation). It should also clarify what data protection the different options propose.

The Board takes note of the quantification of the various costs and benefits associated to the preferred option(s) of this initiative, as assessed in the report considered by the Board and summarised in the attached quantification tables.

Some more technical comments have been transmitted directly to the author DG.

(D) RSB scrutiny process

The lead DG shall ensure that the report is adjusted in accordance with the recommendations of the Board prior to launching the interservice consultation.

Full title	Delegated regulation C-ITS Directive: Specifications for Collaborative ITS
Reference number	PLAN/2017/662
Date of RSB meeting	10 October 2018

ANNEX: Quantification tables extracted from the draft impact assessment report submitted to the Board on 10 October 2018

(N.B. The following tables present information on the costs and benefits of the initiative in question. These tables have been extracted from the draft impact assessment report submitted to the Regulatory Scrutiny Board on which the Board has given the opinion presented above. It is possible, therefore, that the content of the tables presented below are different from those in the final version of the impact assessment report published by the Commission as the draft report may have been revised in line with the Board's recommendations.)

I. Overview of Benefits (total for all provisions) – Preferred Option		
Description	***Amount***	***Comments***
Direct benefits		
Casualties prevented (fatal, serious and slight) by safety measures	EUR 15 billion	Estimates for PO2, benefit for transport users
Reduced road congestion (urban travel time) due to increased traffic efficiency	EUR 11 billion	benefit for transport users
Reduced fuel costs	EUR 11 billion	benefit for transport users
Reduced CO2 emissions	EUR 3.2 billion	benefit for whole society
Reduced pollutant emissions	EUR 0.2 billion	benefit for whole society
Indirect benefits		
Potential for harmonisation of technical requirements for C-ITS services	*Not quantified*	Reduced costs for variants due to standardisation, benefits for C-ITS station installers and technology providers that can be reflected in lower prices.

II. Overview of costs – Preferred option							
		Citizens/Consumers		Businesses		Administrations	
		One-off	Recurrent	One-off	Recurrent	One-off	Recurrent
Measures 1/2/3	Direct costs			Minor compliance costs (not quantified)			
Measure 4	Direct costs					EUR 1 million (Commission	
Measure 5	Direct costs			Secure communication costs (only when deployed, included in system costs)			

Measure 6	Direct costs			Costs for carrying out compliance assessment (not quantified)			
Measures 8/9/10	Indirect costs			Costs of participation & organisation (not quantified)			
Measures 11/12						R&I and deployment funding	