



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Senát for its Resolution on the proposal for a Directive of the European Parliament and of the Council amending Directive 2008/96/EC on road infrastructure safety management {COM(2018) 274 final} and the proposal for a Regulation of the European Parliament and of the Council on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended or such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users {COM(2018) 286 final}.

As the Senát notes in its Resolution, the aim of these proposals is to improve the safety on European roads, which the Commission aims to achieve through reducing the high number of fatalities and serious injuries while moving in the direction of the long-term objective of Vision Zero.

The Commission agrees with the Senát that in order to ensure road safety, an integrated approach involving not only safe roads but also safe cars and safe road users is necessary. This is why the Commission's Third Mobility Package adopted on 17 May 2018 presented a mix of tools that aim to achieve the implementation of such a Safe System approach.

In proposing the amendments to the road infrastructure safety management Directive, the Commission also wishes to achieve several specific objectives, namely to protect vulnerable road users (an objective also supported by the Senát in its Resolution), to improve the conditions for the deployment of new technologies, to foster harmonisation and knowledge sharing between Member States and to improve follow-up of the findings of road infrastructure safety management procedures without imposing excessive costs on Member States.

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CZ – 118 01 PRAGUE 1*

The Commission has carefully examined the proportionality issue when considering the possible extension of the scope of the legislation to other roads beyond the trans-European transport networks that are the scope of the current Directive. The proposed extension would cover all motorways and roads that are part of the primary road network of Member States that are important for the overall functioning of road transport within the European Union, and also roads that are completed using European funding in whole or part and that are located outside urban areas. The Commission takes note of the Sénat's concern that such an extension would involve also some less used secondary and local roads, and that this would result in disproportionate costs for the owners and operators of the roads concerned, but believes that European funds should not be used to build potentially unsafe roads and that the application of road infrastructure safety management procedures should therefore be mandatory also on these roads.

The main benefits of European action in the domain of road infrastructure safety management lie in the convergence towards higher standards of infrastructure safety across the European Union. Travel throughout the Union should become safer. The gap between the best performing and the least well performing Member States should gradually be reduced. This should in turn improve the functioning of the internal market, through a smoother and more coherent travel experience for passenger and freight transport, and support the European Union's objective of economic, social and territorial cohesion.

The Commission considers that the suggestion of the Sénat that a kind of 'safe road' label should be used to identify those parts of the Union's road infrastructure that meet the highest safety standards is rather similar to the Commission's intention to arrive at a rating of roads based on a minimum of three categories. However, the Commission considers that the minimum requirements for the methodology behind such a rating (or label) should be supported by European legislation, in order to ensure that the results are comparable across the European Union. In any case the details should be developed in co-operation with Member States' experts.

As regards the points raised by the Sénat concerning the proposed empowerment of the Commission to adopt delegated and implementing acts under the proposed Directive, the Commission considers that delegated acts will be necessary to ensure that the legislation can be kept up to date with technological progress, and would also like to underline that they relate only to non-essential elements of the proposed Directive. The proposed use of an implementing act will ensure that uniform performance requirements for road markings and road signs can be developed and kept up-to-date in light of the expected technological developments in the field of connected and automated mobility. As for the transposition period, the Commission is open to discuss this issue in the course of the interinstitutional negotiations.

The Commission does not share the Sénat's concern that the rapid deployment of new safety features for all new vehicles following from the proposal could increase their price for consumers and lead to a higher failure rate and lower reliability of those vehicles. The Commission's Impact Assessment demonstrated that the impact of new safety

features on the price of new cars over the past decade had been negligible. Indeed, it shows that cars have become cheaper in real terms taking into account inflation, despite a significant increase in on-board vehicle safety technology in new cars. Hence, the same can be expected for the future as the supplier and vehicle industries are likely to avoid passing costs on to consumers, and the initial costs will significantly benefit from economies of scale over time.

The points made above are based on the initial proposals presented by the Commission, which are currently in the legislative process involving both the European Parliament and the Council.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Senát and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Violeta Bulc
Member of the Commission*