



EUROPEAN COMMISSION
IMPACT ASSESSMENT BOARD

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Opinion

Title

Impact Assessment on measures enhancing the effectiveness and efficiency of the tachograph system

(draft of 17 March 2011)

(A) Context

This impact assessment accompanies a proposal to modify Regulation (EEC) No 3821/85. This 'Tachograph Regulation' is part of EU social legislation in the field of road transport, aiming to improve road safety and drivers' working conditions, and to ensure fair competition among transport companies. Regulation (EC) No 561/2006 lays down maximum driving times and minimum rest periods for drivers of trucks with a maximum permissible mass of more than 3.5 tonnes, or buses or coaches carrying more than nine persons. EU policy on inspecting and checking compliance is based on two main pillars: Directive 2006/22/EC which lays down a minimum level of checks (roadside and in-company) by Member States, and the Tachograph Regulation. The checks concern data on driving, working and resting time which have to be trustworthy, reliable and verifiable by enforcement officers. The data are recorded by on-board recording equipment fitted to the vehicles. This equipment is regulated by the provisions of the Tachograph Regulation which sets technical standards and establishes rules on the use, type approval, installation and inspection of tachographs. It creates legal obligations on manufacturers, authorities, transport operators and drivers. Two types of recording equipment are in use: the analogue tachograph is still used in vehicles registered before 1 May 2006 and the digital tachograph, introduced in Annex IB to Council Regulation (EEC) No 3821/85, is compulsory in vehicles registered after 1 May 2006.

(B) Overall assessment

While the report provides a clear overview of the arguments, the presentation should be strengthened on a number of points. Firstly, the report should clarify the intervention logic and provide a more appropriate set of objectives. Secondly, it should strengthen the presentation of expected benefits and costs for each of the policy options. Thirdly, it should provide clear references to stakeholder input received in consultation throughout the main text of the report. Finally, it should strengthen the section on future monitoring and evaluation, to ensure the presence of an adequate evidence base for future initiatives.

(C) Main recommendations for improvement

(1) Clarify the intervention logic and redefine objectives and options. The report should better link the elements of the problem description with the objectives and proposed options. An analysis of the sanction regimes in Member States and their apparent weaknesses should be integrated in the problem definition. Operational objectives should be formulated in more concrete terms. A policy package combining PP1 and PP3, representing a possible lower-cost alternative, should be added. The report should better present the justification for the individual measures and relate them more clearly to the various policy package options, and explain how the policy packages are designed to achieve all objectives and that they represent genuine alternative policy options. The report should explain in an Annex what further legislative proposals will be brought forward to fully implement any of these packages, and for which of these further impact assessments are envisaged.

(2) Strengthen the presentation of expected benefits and costs. The report should explain more clearly why the assessment of impacts remains rather descriptive. It should better explain the cost figures, their significance in the context of total transport costs, and elaborate more on the expected benefits of each of the options (policy packages), preferably illustrated with reasonable quantitative estimates. The report should also provide a clearer explanation of the expected effects on the competitiveness of different sectors. Where possible it should provide estimates of the direct impacts on parties outside the transport sector: in this context the potential impacts on transport costs and transport activity should be explicitly discussed. With respect to the reduction in administrative burdens that is expected to be achieved as a consequence of the extension of the scope for distance-based exemptions, the report should give clearer references in the text, and add the relevant calculations from the external study in an Annex. The section on the impacts on drivers' working conditions and on road safety should be strengthened. The report should also address more thoroughly the privacy concerns of drivers regarding automatic recording of the location by means of harmonised interface with other ITS applications. The report should discuss the apparent weakness of the evidence base for the comparison in Table 9. Where quantitative evidence is lacking, the report should more critically evaluate if the conclusions reached about the relative merits of the various options are sufficiently supported or whether more cautious statements would be appropriate.

(3) Better integrate the results of stakeholder consultation throughout the text. The report should more clearly present the different views of stakeholders on the problem and the different options throughout the main text. It should provide a summary of and link to the statement of the IRU (International Road Transport Union) and ETF (European Transport Workers' Federation) of 8 July 2010 on the conclusions of the sectoral social dialogue. The references to stakeholder arguments in the main text should also mention the source (transport companies, inspections, producers of equipment etc.).

(4) Strengthen the monitoring and evaluation arrangements. The indicator for the number of accidents should be put into perspective by estimating in which proportion of cases they can be associated with breaches of social legislation and/or the Tachograph Regulation. Tailored indicators should be defined for all relevant compliance and enforcement issues. Administrative burdens should be monitored in quantitative terms on the basis of a more robust mechanism than "technical discussions on the use of the digital equipment" (Table 10). The report should emphasise the importance of regular evaluation

of this particular Regulation (separately as well as in the context of reviewing the effectiveness of the entire social legislative framework for the road transport sector), and should describe how, when, by whom and by which criteria this measure should be evaluated.

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.

(D) Procedure and presentation

The report should provide better references to the underlying studies and data throughout the text, and provide a list of the relevant sources in an Annex. The executive summary should be checked against the main text for consistency (especially the objectives and monitoring and evaluation sections).

(E) IAB scrutiny process

Reference number	2008/MOVE/008
External expertise used	No
Date of Board Meeting	6 April 2011