



COMMISSION EUROPÉENNE

SEC(2018) 231 final
17.5.2018

AVIS DU COMITE D'EXAMEN DE LA REGLEMENTATION

**Proposal for a Regulation of the European Parliament and of the Council
on electronic freight transport information**

{COM(2018) 279 final}
{SWD(2018)183final}
{SWD(2018) 184 final}



EUROPEAN COMMISSION

Regulatory Scrutiny Board

Brussels,

Ares(2018)

Opinion

Title: Impact Assessment / Recognition of paperless transport documents

(version of 14 February 2018)*

Overall opinion: POSITIVE WITH RESERVATIONS

(A) Context

Freight transport operations within the EU often require paper documents. Public authorities do not accept some electronic documents. In other cases, existing technical solutions are not compatible with each other. These solutions may be specific to Member States or to transport modes, and have developed independently of each other.

Handling paper documents is more costly and less efficient for freight transport operators and their customers. Many stakeholders, the Council and the Parliament have reportedly called on the Commission to address the issue.

This initiative examines ways to enable and promote wider use of electronic transport documents.

(B) Main considerations

The Board acknowledges the ambitions, complexity and wide scope of the initiative.

However, the report contains significant shortcomings that need to be addressed. 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 sufficiently discuss the interplay between the initiative and international conventions and bilateral agreements.**
- (2) The policy options lack important details about implementation and necessary steps to achieve the policy objectives.**
- (3) The report is not clear about how it arrived at its cost estimates. It is not clear either whether the estimates reflect all the costs of the proposal. This makes it difficult to justify why the report strongly recommends one policy option over another that appears to have very similar costs and benefits.**

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

(C) Further considerations and recommendations for improvement

(1) The report should better explain the interplay between the initiative and the relevant international sectoral conventions and bilateral agreements. The report should further elaborate on how the initiative intends to build on those international conventions, such as by encouraging Member States to ratify them or by working to amend them. The report should clarify the policy flexibilities they allow and any relevant constraints they may present for the various policy options. The report should also better explain how realistic it is and what time frame is foreseen to amend international conventions and bilateral agreements (preferred option), in particular as regards the nature of electronic documents, the requirements for their validity and acceptance by national authorities and the technical specifications for B2A and A2B electronic documents.

(2) The report should explain how this initiative relates to parallel initiatives such as revising the maritime Reporting Formalities Directive. It should clarify whether and how they overlap or are mutually reinforcing.

(3) The report should explain why the scope of the initiative is limited to cargo transport documents, excluding documents concerning the means of transport and the personnel manning the means of transport.

(4) The report should further clarify how the policy options would be implemented in practice. It should describe what concrete steps to take in the context of this initiative to achieve the goal of paperless documentation in transport. It should clarify whether the legal proposal based on this impact assessment will contain all practical elements or whether it will provide a principles-based framework for necessary further steps. The report should also discuss the extent to which the policy options are future proof, i.e. can flexibly integrate future technological developments.

(5) It is not clear how robust the impact estimates are. The report should better present the methodologies it applied in estimating the impacts of the policy options. It should explain the underlying assumptions and main logical steps that resulted in the presented outcomes. For example, it should explain how the estimates on a possible modal shift were obtained and how credible they are. It should explain why shifting goods transport from road to rail leads to external benefits while the shift to waterborne transport leads to (higher) external costs. Moreover, the report should discuss how robust the choice of the preferred policy option is, given that the estimated benefits of options 3 and 4 appear to be about the same. The impact analysis should assess how sensitive the estimates are to plausible variations of the underlying assumptions.

(6) The impact analysis should provide more information about the costs that the policy options imply for public authorities. Currently it mainly concentrates on costs for private operators and refers to future impact assessments (see table below). However, reaching the objective will eventually imply costs related to these implementing measures. As these are also relevant for the current political decision, the report should indicate their magnitude.

The Board takes note of the quantification of the various costs and benefits associated to the preferred option 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 recommendations of the Board are taken into account in the report prior to launching the interservice consultation.

The attached quantification tables may need to be adjusted to reflect any changes in the choice or the design of the preferred option in the final version of the report.

Full title	Impact assessment accompanying a proposal for a Regulation on electronic communication of freight transport information and documentation
Reference number	2018/MOVE/001
Date of RSB meeting	07/03/2018

ANNEX: Quantification tables extracted from the draft impact assessment report submitted to the Board on 14/02/2018

(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.)

1.

<i>I. Overview of Benefits (total for all provisions) – Preferred Option</i>		
<i>Description</i>	<i>Amount</i>	<i>Comments</i>
<i>Direct benefits</i>		
Reduction in the administrative costs for the industry	9.783 billion euro	The main beneficiary group will be transport operators operating under the road transport (c.a.70% of all costs savings).
<i>Indirect benefits</i>		
Reduced air pollution emissions	67.4 million euro	Small positive impact due to decrease in road modal share in 2030 relative to the baseline.
Reduction in external costs of congestion,	106.6 million euro	Small positive impact due to decrease in road modal share in 2030 relative to the baseline.
Transport operators savings	23.764 million euro	Reduction in operation costs due to elements such as fewer errors and correction, faster invoicing and a range of other elements

<i>II. Overview of costs – Preferred option</i>						
	Citizens/Consumers		Businesses		Administrations	
	One-off	Recurrent	One-off	Recurrent	One-off	Recurrent
Direct compliance costs for businesses,	n/a	n/a	345	n/a	n/a	n/a
Direct compliance costs for authorities (system to check the validity of the electronic transport	n/a	n/a	n/a	n/a	Depending on the implementation of the technical, the costs of this policy option may	

document)					significantly vary. The total level of costs will be assessed in a separate IA on the implementing act.
<i>Indirect costs for the society</i>					
External costs of air pollution		84.5 million euro			Negative impact due to the increase in the waterborne transport activity