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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	12 July 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

Subject:	REGULATORY SCRUTINY BOARD OPINION
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Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic

Delegations will find attached document SEC(2023) 445 FINAL.

Encl.: SEC(2023) 445 FINAL



EUROPEAN COMMISSION

26.5.2023

SEC(2023) 445

REGULATORY SCRUTINY BOARD OPINION

Weights and Dimensions Directive

{COM(2023) 445}

{SWD(2023) 445-447}



Brussels,
RSB

Opinion

Title: Impact assessment / Weights and Dimensions Directive

Overall opinion: POSITIVE WITH RESERVATIONS

(A) Policy context

Council Directive 96/53/EC sets the maximum authorised weights and dimensions of commercial heavy-duty vehicles (HDVs) that circulate on EU roads carrying goods or passengers. By establishing these common standards, the Directive aims to ensure that HDVs do not exceed limits that can compromise road safety, infrastructure and the environment, and that road transport operators can compete on equal footing on the internal market.

The evaluation found that the Directive displays: (i) ineffective and inconsistent enforcement of transport rules for HDVs among Member States, (ii) a fragmentation of the market for heavier or bigger HDVs due to national derogations, and (iii) a low uptake of zero-emission heavy-duty vehicles and energy saving technologies.

This impact assessment will inform a proposal for a revision of the Directive to tackle the identified problems.

(B) Summary of findings

The Board notes the information provided and commitments to make changes to the report.

However, the report still contains significant shortcomings. The Board gives a positive opinion with reservations because it expects the DG to rectify the following aspects:

- (1) The report does not explain clearly the cost-benefit analysis nor the costs and cost savings in scope of the ‘One In, One Out’ approach.**
- (2) The report does not sufficiently explain the analysis of the impact on road safety.**
- (3) The report does not sufficiently explain the design of the options nor the trade-off between effectiveness and efficiency for selection of the preferred option.**

This opinion concerns a draft impact assessment which may differ from the final version.

(C) What to improve

- (1) The report should better explain the approach and assumptions that underpin the modelling and its link to the cost-benefit analysis. In particular, it should provide a better explanation of the analysis of the expected increase in transport activity by zero-emission vehicles by policy option. It should detail better how the (one-off and recurrent) adjustment and administrative costs and cost savings have been calculated. It should also revise the 'One In, One Out' section and correctly identify the costs and cost savings in scope of offsetting.
- (2) The report should better explain the methodology and evidence used to conclude that the overall impact on road safety will be positive.
- (3) The report should clarify in its problem definition the relative importance of the problem drivers. The report should assess to what extent these problem drivers are sufficiently exhaustive to design the revision as effective as possible.
- (4) The report should better explain why there are three policy options designed around six common policy measures and to what extent these options can be considered complete. The report should also explain how the other policy measures, in particular on enforcement and training, are assigned to specific options.
- (5) The report should set out the scoring methodology used when comparing the options, particularly when comparing the options on effectiveness and efficiency, and align the scoring better with the analysis. It should highlight the key trade-offs between effectiveness and efficiency for the selection of the preferred option.

The Board notes the estimated costs and benefits of the preferred option in this initiative, as summarised in the attached quantification tables.

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

(D) Conclusion

The DG must revise the report in accordance with the Board's findings before launching the interservice consultation.

If there are any changes in the choice or design of the preferred option in the final version of the report, the DG may need to further adjust the attached quantification tables to reflect this.

Full title	Evaluation and revision of the Weights and Dimensions Council Directive 96/53/EC
Reference number	PLAN/2021/11805
Submitted to RSB on	26 April 2023
Date of RSB meeting	24 May 2023

ANNEX: Quantification tables extracted from the draft impact assessment report

The following tables contain information on the costs and benefits of the initiative on which the Board has given its opinion, as presented above.

If the draft report has been revised in line with the Board's recommendations, the content of these tables may be different from those in the final version of the impact assessment report, as published by the Commission.

I. Overview of Benefits (total for all provisions) – Preferred option (PO-B)		
<i>Description</i>	<i>Amount</i>	<i>Comments</i>
Direct benefits		
Adjustment costs savings for road transport operators, expressed as present value over 2025-2050 relative to the baseline	EUR 42.8 billion	Benefits to road transport operators, estimated at EUR 42.8 billion expressed as present value over 2025-2050 relative to the baseline, due to the reduction in the operation costs and the reduced time required for cooperating with the public authorities for manual/roadside weight checks. The reduction in operation costs is driven by an increase in the average payload and the reduction in the number of trips (due to the extra length and weight to accommodate ZE technologies, the harmonisation of the maximum permitted weight of 5- and 6-axle HDV in cross-border transport, allowing cross-border transport of 44t and EMS between "allowing" MS and the harmonisation of the loaded length of vehicle carriers), and by the shift from road-only to intermodal operations (due to the alignment of the definition of intermodal transport with the Combined Transport Directive).
Administrative costs savings for road transport operators, expressed as present value over 2025-2050 relative to the baseline	EUR 4.4 billion	Benefits to road transport operators, from the elimination of permits for the use of higher trucks to accommodate high-cube containers in intermodal transport (EUR 3.2 billion, expressed as present value over 2025-2050 relative to the baseline), and from the reduction in the time needed to prepare and submit the requests for the issuance of special permits for the transport of indivisible loads (EUR 1.2 billion, expressed as present value over 2025-2050 relative to the baseline) enabled by the application of the one-stop-shop principles at national level and the digitalisation of documents.
Adjustment costs savings for national public authorities, expressed as present value over 2025-2050 relative to the baseline	EUR 3 billion	Benefits to national public authorities, estimated at EUR 3 billion expressed as present value over 2025-2050 relative to the baseline, due to a reduction in the maintenance costs for road infrastructure. This is an effect of a decrease in the number of trips relative to the baseline (driven by an increase in payload), the shift from road-only to intermodal transport and

I. Overview of Benefits (total for all provisions) – Preferred option (PO-B)		
<i>Description</i>	<i>Amount</i>	<i>Comments</i>
		the reduction in the frequency and severity of overloading practices.
Administrative costs savings for national public authorities, expressed as present value over 2025-2050 relative to the baseline	EUR 22.8 billion	Benefits to national public authorities, estimated at EUR 22.8 billion expressed as present value over 2025-2050 relative to the baseline, due the implementation of the one-stop-shop systems at national level and thus the costs savings for processing the permit requests, and the reduction in the number of manual/roadside checks enabled by the WIM systems.
Indirect benefits		
Reduction in external costs of CO ₂ emissions, expressed as present value over 2025-2050, relative to the baseline	EUR 3.5 billion	Indirect benefit to society at large, due to the tonnes of CO ₂ emissions saved, enabled by the higher use of ZE HDVs, the shift to intermodal transport and the decrease in the number of trips (driven by the increased payload). The reduction in the external costs of CO ₂ emissions is estimated at EUR 3.5 billion, expressed as present value over the 2025-2050 horizon relative to the baseline.
Reduction in external costs of air pollutant emissions, expressed as present value over 2025-2050, relative to the baseline	EUR 2.1 billion	Indirect benefit to society at large, due to the tonnes of air pollutant emissions saved, enabled by the higher use of ZE HDVs, the shift to intermodal transport and the decrease in the number of trips (driven by the increased payload). The reduction in the external costs of air pollutant emissions is estimated at EUR 2.1 billion, expressed as present value over the 2025-2050 horizon relative to the baseline.
Reduction in external costs of noise emissions, expressed as present value over 2025-2050, relative to the baseline	EUR 0.7 billion	Indirect benefit to society at large, due to the reduction in noise emissions, enabled by the higher use of ZE HDVs, the shift to intermodal transport and the decrease in the number of trips (driven by the increased payload). The reduction in the external costs of noise emissions is estimated at EUR 0.7 billion, expressed as present value over the 2025-2050 horizon relative to the baseline.
Reduction in external costs of road accidents (i.e. fatalities), expressed as present value over 2025-2050, relative to the baseline	EUR 0.9 billion	Indirect benefit to society at large, due to the lives saved, enabled by the shift to intermodal transport and the decrease in the number of trips (driven by the increased payload). The reduction in the external costs of accidents is estimated at EUR 0.9 billion, expressed as present value over the 2025-2050 horizon relative to the baseline.
Administrative cost savings related to the 'one in, one out' approach*		
Administrative costs savings for road transport operators, per year relative to the baseline	EUR 237.7 million per year	Direct benefit to road transport operators estimated at EUR 237.7 million per year, of which: (i) EUR 165.9 million from the elimination of permits for the use of higher

I. Overview of Benefits (total for all provisions) – Preferred option (PO-B)		
Description	Amount	Comments
		trucks to accommodate high-cube containers in intermodal transport; (ii) EUR 71.8 million from the reduction in the time needed to prepare and submit the requests for the issuance of special permits for the transport of indivisible loads, enabled by the application of the one-stop-shop principles at national level and the digitalisation of documents.

II. Overview of costs – Preferred option (PO-B)						
	Citizens/Consumers		Businesses		Administrations	
	One-off	Recurrent	One-off	Recurrent	One-off	Recurrent
Direct adjustment costs, expressed as present value over 2025-2050, relative to the baseline	-	-	-	For road transport operators: EUR 2.1 billion	For national public authorities: EUR 102.7 million For the European Commission: EUR 0.9 million	For national public authorities: EUR 4.2 billion
Direct administrative costs, expressed as present value over 2025-2050, relative to the baseline	-	-	-	-	-	For national public authorities: EUR 16.4 million
Direct enforcement costs	-	-	-	-	-	-
Costs related to the ‘one in, one out’ approach						
Total	Direct adjustment costs, expressed as present value over 2025-2050, relative to the baseline	-	-	-	For road transport operators: EUR 2.1 billion	
	Indirect adjustment costs	-	-	-	-	
	Administrative costs (for offsetting)	-	-	-	-	



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