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Subject:	COMMISSION STAFF WORKING DOCUMENT IMPACT ASSESSMENT ANNEXES Accompanying the document Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences - PART 2/2

Delegations will find attached **a new version** of document SWD(2017) 27 final/2.

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PART 2/2

CORRIGENDUM

Cancels and replaces the SWD(2016) 27 final, Part 2/2,
of 1 February 2017 for incorrect year in the date of the document. It should be read
SWD(2017) 27 final/2

COMMISSION STAFF WORKING DOCUMENT

IMPACT ASSESSMENT

ANNEXES

Accompanying the document

Proposal for a Directive of the European Parliament and of the Council

**amending Directive 2003/59/EC on the initial qualification and periodic training of
drivers of certain road vehicles for the carriage of goods or passengers and Directive
2006/126/EC on driving licences**

ANNEX 1:

Procedural Information concerning the process to prepare the impact assessment and the related initiative

Lead DG: Directorate General for Mobility and Transport

Agenda planning/Work Programme references: 2013/MOVE/013

Other involved services: The Secretariat General, the Legal Service, the former DG Education and Culture, DG Employment, Social Affairs and Inclusion, the former DG Internal Market and Services joined DG Mobility and Transport in the Steering Group.

Organisation, timing and consultation of the RSB:

The work on the Impact Assessment started in April 2013 when the Inter-service Steering Group (ISG) was created. The Impact Assessment process followed a short ex-post evaluation, which was conducted by an external consultant in a close cooperation with Commission services. The Steering group met on 7 occasions to discuss the main milestones in the process, such consultation with stakeholders, key deliverables from impact assessment and ex-post evaluation support studies, final evaluation report, final draft of the impact assessment report before the submission to the Regulatory Scrutiny Board. The ISG were consulted by the lead service (MOVE) on the changes brought to the impact assessment report after the scrutiny of the Regulatory Scrutiny Board and the proposal for the revision of the Directive.

This Impact Assessment was reviewed by the Regulatory Scrutiny Board (RSB) that provided its opinion on 22 July 2016. Based on the Board's recommendations, the impact assessment has been revised according to the following lines:

	Recommendation from the RSB	Relevant sections of the IA report	Main description of changes
1	Clarify how the initiative relates to the more general context of road safety policy, i.e. what its contribution will be to improve road safety as compared to other road safety initiatives	1.1	Policy context was clarified and close inter-linkage with related instruments was underlined, and description of specific road safety effects of this initiative strengthened
2	Better describe magnitude of the problems encountered and clarify	2, 1.2	Description on the need for EU legislative action was elaborated Numbers of affected drivers of mutual

	Recommendation from the RSB	Relevant sections of the IA report	Main description of changes
	need for legislative action		recognition inserted, and their proportion of all EU drivers. Estimation of costs for drivers/companies in the current context inserted. Possible consequences for road haulage enterprises in need of professional drivers strengthened.
3	Simplify description of policy options, focussing on those issues where there is a genuine policy choice	4.2.1, 4.2.7, 4.3	The presentation of policy options is simplified. A new paragraph on future developments has been inserted, description of the possible use of RESPER strengthened and specific assessment of possible use of TACHOnet inserted

Furthermore, a series of additional changes due to the technical comments received from the Regulatory Scrutiny Board were incorporated into the Impact Assessment Report.

Evidence used in IA together with its sources:

- Ex-post evaluation study on the effectiveness and improvement of the EU legislative framework on training of professional drivers, done by Panteia in October 2014.
- The *Report on the implementation of Directive 2003/59/EC* (COM(2012) 385 final) provides an overview of the current state of play in terms of implementation and highlights some of the problems identified.
- The study on the *Shortage of Qualified Personnel in Road Freight Transport*, which was run by the European Parliament in 2009
- The 2012 *Report of the High Level Group on the Development of the EU Road Haulage Market* identifying future challenges for the road transport sector and making proposals for changes.
- In 2010 the International Commission for Driver Testing (CIECA) presented its *Survey on the implementation of the directive 2003/59/EC laying down the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods and passengers*.
- A series of papers which have been published since 2010 by DEKRA Akademie GmbH as part of the project *Professional driving – more than just driving*.
- The *Survey on driver training issues. Implementation of Directive 2003/59/EC*, which was published in 2013 by the European Transport Workers Federation (ETF) and the International Road Transport Union (IRU)
- Statistics available from EUROSTAT and the CARE-database (accident statistics)

External expertise:

An external consultant carried out an ex-post evaluation study¹ as well as a support study to the impact assessment in the framework of the same contract between October 2013 and May 2015. The results of the evaluation report fed into the Impact assessment support study and then into the Impact Assessment report, which as well was presented to the Steering group for comments and reactions. The ex-post evaluation study and the impact assessment support study took into account the replies to the public consultation and on the information gathered during the stakeholder conference (see annex II).

The final impact assessment report was submitted on 18 of May 2015. Due to the change of the impact assessment approach discussed and endorsed by the Inter-service Steering Group, the lead service (MOVE) partially used from the contractors report the data collected in the course of the stakeholders consultation activities, while the main analysis was performed in house.

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¹Please see http://ec.europa.eu/transport/facts-fundings/evaluations/doc/2014_ex_post_evaluation_study_training_drivers_en.pdf

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ANNEX 2:

Stakeholder consultation- Synopsis report

1. Introduction and overview

Before drafting the legislative proposal and the present report stakeholder consultations were conducted in order to gather as many comments and suggestions as possible from the individuals and bodies concerned. This exercise complied with the minimum standards for consultation of interested parties set out in the Commission Communication of 11 December 2002 (COM (2002) 704 final).

The consultation process included two types of actions, opinion gathering and data collection, for which open and targeted consultation methods and various consultation tools were used.

As an ***open consultation method*** an internet-based open public consultation took place between 17 July and 25 October 2013. The Commission services received 395 contributions, 203 respondents participated as private individuals 192 replied on behalf of institutions or interest representation. 58 respondents are registered in the Transparency Register of the European Parliament and of the European Commission.

Participants emphasised the importance of ongoing EU action in the field of qualification and training of professional drivers. In considering the impact of the Directive, the perception of the stakeholders is that it contributed only insufficiently to achieving its objectives, namely increased road safety, development of the level of professional competence of drivers, free mobility of drivers and the creation of a level playing field for drivers and undertakings. On the concrete measures to be adopted to address these difficulties the opinions were more divided.

The consultation paper, the contributions received, a summary of these contributions and the report on the stakeholder conference of 6 March 2014 are available on the website of the road safety unit of DG MOVE and on the “Your voice in Europe” website².

As ***targeted consultation methods***, the process considered:

- The Commission services presented the initiative in the framework of the social dialogue with the road transport social partners on 24 June 2013 and with the urban public transport on 25 September 2013³. The main findings of the open public consultation were presented again to the road transport social partners on 25 April 2014. The key issues addressed in the proposal for a revised directive on the initial and periodic training were presented to social partners on 19 November 2014. On that occasion the social partners expressed their support for having legislation at European level in this field and did not have any objections to the objectives proposed by the Commission.

² Please see http://ec.europa.eu/transport/road_safety/take-part/public-consultations/cpc_en.htm and

http://ec.europa.eu/transport/road_safety/events-archive/2014_03_06_cpc_review_en.htm

³ <http://ec.europa.eu/social/main.jsp?catId=521&langId=en&agreementId=5365>

- On 6 March 2014 a hearing of stakeholders was held in Brussels with the participation of delegations from around 100 organisations representing haulage operators, passenger transport operators, workers, training providers and national administrations. The conference confirmed the findings of the open public consultation (see above). The report on the stakeholder conference of 6 March 2014 is available on the website of the road safety unit of DG MOVE.
- On 23 January 2014 the Commission held an informal workshop with Member States in order to discuss minimum age requirements and the structure of the training in the context of a possible review of the Directive. At the meeting of the CPC committee on 23 October 2014 the last part of the meeting was dedicated to an informal discussion with Member States on how to improve mutual recognition. The CPC committee met again on the 9 October 2015, when the ongoing review of Directive was discussed. As regards to problem with mutual recognition of periodic training, the participants expressed concern about Member States applying different practice and generally saw the need for a harmonised approach. There was an exchange of views on the issue of mutual recognition of periodic training undergone in another Member State and the issue of content and structure of the training. Importance of keeping the Directive up to date as regards technological progress was underlined and the need on additional clarity on some aspects, such as e-learning.
- A questionnaire survey to Member States authorities was sent in the course of the support study to collect detailed information on the implementation of the Directive. The questionnaires were distributed among the DG-MOVE CPC Committee Members. At the latter stage, a follow-up data request was sent to collect additional quantitative information on specific elements related to the Directive. In addition, the contractor together with ETF developed a questionnaire survey about possible barriers for the free movement of drivers. This questionnaire was submitted to the EU-members of ETF.
- Targeted interviews were carried out in the course of the support study order to supplement the data obtained through the other methods, to investigate certain specific issues, strengthen findings, or seek clarifications on the answers given by stakeholders to questionnaires. Interviews were held with a number of stakeholders ranging from public entities to relevant transport associations.

2. Main conclusions various consultation activities

a. Open public consultation exercise

The consultation attracted 395 responses, 389 of them via the online questionnaire, the others via email. The Commission received also contributions analysing the Directive, which were not directly responding to the questions of the consultation. About half of the contributions were submitted by private individuals, the other half was submitted on behalf of institutions or interest representation representing the road transport service sector, training organisations, competent authorities and other enforcement bodies in relation to the application of the Directive, road safety experts and researchers and public authorities.

The largest amount of contributions was received from the UK, particularly among the private individuals.

Overall the respondents agree on the important role that training of drivers plays in ensuring increased road safety. They also agree on the importance of harmonisation to allow for mutual recognition. On the current Directive there is a wide spread view that it managed to reach its objectives only to a limited extent.

On the specific aspects to improve the efficacy of the Directive the opinions are divided. There is no clear prevailing idea on how the scope of the Directive should be regulated to make it clearer. On the minimum age requirements for young drivers the opinions are evenly divided as well.

The participants in the public consultation do not express a clear opinion on who should certify periodic training undergone in another Member State: the home country of the drivers having issued the driving licence or by the Member State in which the training was taken.

There is greater consensus on the importance of preserving the specificity of the training and testing for the Certificate of Professional Competence (CPC). The subjects currently covered by the training are seen as relevant. The mandatory inclusion of the use of simulators during the training is not perceived as necessary, while there is support for regulating the use of e-learning instruments in the Directive.

Respondents generally support greater harmonisation of the content of the periodic training, but are evenly divided on the opportunity of having a test at the end of it. The distribution of the periodic training over the whole 5-year period is a solution that is favoured by a majority of the respondents. They also agree on the necessity of developing a mechanism which allows for the recognition of partial periodic training undergone in another Member State. A more detailed regulation of the requirements for training centres and instructors is favoured as well.

b. Stakeholder conference

On 6 March 2014, the European Commission organized a Stakeholder Conference as part of the review of Directive 2003/59/EC.

The main objectives of the conference, which was open to all interested stakeholders, were to report on the findings of the public consultation and to validate its results, to present the first results of the ex-post evaluation of the Directive and to discuss policy measures for the review of the Directive. 107 participants registered for the Conference, representing 104 organisations from 20 Member States or operating EU wide.

The Conference had four thematic sessions and an introductory session.

Data limitations

The categories of participants of the stakeholder conference reflected the categories of respondents of the public consultation, with the exception of individual participants. Most of the speakers represented training institutes or road transport associations, of which many also have training business units.

Conclusions:

For each of the four thematic sessions, the below conclusions emerged, based on general consensus among the stakeholders present at the conference.

Session 1 - Relevance and scope of the Directive.

- No stakeholder contested the relevance of the Directive but there was a clear signal that before expanding the scope, the Commission has to ensure that the Directive is operating properly in the Member States, which also gives added value to the industry and the drivers themselves. The Commission took notice of the concerns expressed

regarding the growing cross-border traffic of vans and the possibility to extend the scope of the Directive to apply also to this category of vehicles.

- The stakeholders' discussion showed that the scope of exemptions should not be increased from what is currently foreseen in the Directive. Alignment with Regulation 561/2006 is not seen as important but coherence between the two regimes is welcome.
- The Commission took notice of the concerns expressed regarding the negative impact of the application of certain exemptions on the level playing field on a national level.

Session 2 - Minimum age.

- There is a difference between the opinion of the academia and that of the industry on the right level of minimum ages to enter the profession. The former considers that lowering minimum ages would lead to increased risks of road accidents. The industry representatives, on the other hand, believe that young drivers (aged 18) do not represent a higher risk than older drivers, provided the selection criteria and the quality of training are right. Also, the industry representatives pointed out that there is a growing shortage of drivers, which could be compensated through maintaining the low minimum ages to enter the profession.
- Nonetheless, both the academia and the industry believe that there are ways to mitigate the increased risk of causing road accidents posed by youngsters through mechanisms such as having the right training or other measures such as mentorship.
- There is a broad consensus among the stakeholders that the minimum ages as laid down currently in the Directive (18 years for truck drivers and 21 for bus/coach drivers) are adequate.

Session 3 - Structure of the training.

- Stakeholders generally agree that there is a need to improve the current training system.
- There is also agreement that the training system has to be made more adaptable to the actual needs of the drivers and companies. There is also a need to make it more flexible over time and to introduce more direct involvement of the stakeholders and the industry.
- Stakeholders pointed out that the training should be meaningful for the drivers. This means that the periodic trainings should not comprise of merely repetitive courses, or include topics that are irrelevant for the driver. Rather, the training should take into account the individual needs of the driver.
- There might be a need to replace a rigid periodic training system with a life-long learning approach.

Session 4 - Quality assurance and mutual recognition of the training.

- As regards the mutual recognition, it is not clear whether there is a problem, and if so, how big it is.
- There is support for a system that improves mutual recognition but there are concerns among the industry representatives about the possible costs that this may entail to the driver and his/her operator.
- There is a consensus that quality assurance is important and we should find ways to increase the reliability and trustworthiness of the training centres.

Summarised conclusions:

- There is broad agreement among the stakeholders that the Directive is relevant and necessary, but it has to be improved especially as regards implementation. That should be given priority over extending its scope to other vehicles.
- There are reservations regarding the extension of the scope to drivers currently not covered, although a couple of stakeholders called for an extension to vans and small trucks.
- There was little, if any, support for the alignment of the scope of the Directive with other related legislation, especially Regulation 561/2006 on the harmonisation of certain social legislation relating to road transport.
- Stakeholders support leaving minimum age requirements as they currently are in the Directive. However, the current ambiguity with the Driving Licence Directive needs to be corrected.
- Almost all stakeholders agree that introducing a modular training structure would be a good way to go forward.
- There is a need to improve the adaptability and flexibility of the training system. The training should be meaningful and useful for the drivers.
- It remains uncertain whether mutual recognition of training and certification represents a problem, and if so, to what extent. Cost-effective measures that would improve the mutual recognition would be most welcome.
- Similarly, cost-effective measures to provide better quality assurance would be received favourably.
- The stakeholders expressed an interest to be involved and consulted in the subsequent steps of the review process, to the extent allowed by procedural rules.

c. Member States Workshop

The Workshop took place on 23 January 2014 in Brussels and was attended by 18 Member States.

Minimum age

Eight Member States expressed themselves in favour of the option of considering that as professional drivers have to undergo additional testing, which goes beyond the normal driving licence testing to obtain the initial CPC, it might be considered that they drive at an earlier age than drivers, who have not undergone the CPC qualification. They mention the importance of not imposing restrictions to the access of young people to the profession, in particular since the profession is suffering from a shortage of young drivers and an aging workforce

A system of gradual access to professional driving requiring the various categories of C and D driving licences is perceived as less useful since there is particularly a need for transport relying on heavy trucks.

Two Member States expressed that the minimum age requirements as they are currently set in Directive 2003/59/EC are considered appropriate.

Structure of the training

Some aspects related to structure of the training was discussed on the basis of an introduction indicating that training requirements could be indicated not in form of the hours of the training but in form of what a driver needs to know at the end of the training, so-called learning outcomes. These outcomes could be set in the form of common standards set by the European Committee for standardisation (CEN). A system of modules could contribute to

create greater uniformity in the training and thereby facilitating mutual recognition and also transferability. There could be tests at the end of the periodic training to verify what drivers have learnt.

Some Member States expressed themselves in favour of a flexible model, e.g. to have a mix between mandatory and optional modules for the periodic training, while others expressed satisfaction with the current structure. Some sympathy for an outcome oriented approach was expressed.

Some Member States mention that standardisation could be a solution to the existing problems with mutual recognition, while others are concerned with the burden with this approach, e.g. to training centres.

Some Member States express their opposition to tests after the periodic training.

Some Member States express concerns on the costs of the introduction of a system of sharing information from the national database similar to RESPER to help with mutual recognition, also of partial periodic training undergone in another MS.

d. Interviews

Targeted interviews were carried out in the course of the support study order to supplement the data obtained through the other methods, to investigate certain specific issues, strengthen findings, or seek clarifications on the answers given by stakeholders to questionnaires. Interviews were held with a number of stakeholders ranging from public entities to relevant transport associations.

In the period between October 2013 and July 2014 interviews were held face to face or collected via phone or email from with 22 organisations representing authorities, the drivers, transport companies and other affected stakeholders.

Data limitations

In general, stakeholders reacted positively to the interviews, and showed willingness to cooperate and assist in the evaluation by providing information to the best of their availabilities. The interviewed stakeholders were often unable to provide (relevant) quantitative data. Although they were aware of the existence of certain problems (through complaints of association members, discussions, or hearsay), there were no clear records kept that would help determine the magnitude of the problems.

Main findings:

- In general stakeholders support mandatory initial and periodic training as introduced by the Directive.
- The views of the different stakeholder categories can be summarized as follows: employers want maximum flexibility, training institutes want more training, examination institutes want more examination, employees want the job of a driver to become a real profession, which in turn could make the profession more attractive.
- Problems relating to the mutual recognition of full trainings may only have a regional dimension since only in certain areas were these problems pointing out by the stakeholders.
- Stakeholders were unable to present quantitative data on the impact of training on road safety and reduction of fuel use.

- Not one stakeholder questioned the length of the periodic training (35 hours), except for one stakeholder who is in favour of slowly reducing the number of periodic training hours for experienced drivers.

e. Questionnaire surveys

In December 2013 a questionnaire survey to collect additional information on the implementation of the Directive in the Member States was launched in the course of the support study. The questionnaire was distributed among the members of the DG-MOVE CPC Committee. In January 2014 a short additional questionnaire was distributed to collect quantitative information on the recognition of CPC training in foreign countries. In April 2014 a questionnaire was distributed via ETF in order to get additional quantitative information on problems with the recognition of driver training undergone in another Member State.

Data limitations

Most of the Member States gave complete answers to the questions addressed. However, some did not possess all the necessary data to provide all the information. The most frequently incurred missing information was on the operation of the system (number of drivers who acquired initial qualification and number of drivers obtained a CPC through a periodic training).

Main findings

The questionnaire surveys gave information on how the Directive was implemented in the Member States. In addition, the questionnaire surveys gave quantitative information on some elements of the Directive, such as the number of exempted drivers, the mandatory topics for obtaining a driving license and a CPC per Member State, Member State's policies on recognition of training in other countries, the number of drivers trained till 2013 and the number of approved training courses and training centres.

3. Consultation response presented according to each key IA element

General (From interviews):

Employers want maximum flexibility, training institutes want more training, examination institutes want more examination, employees want the job of a driver to become a real profession, which in turn could make the profession more attractive. The interviewed stakeholders were often unable to provide (relevant) quantitative data

Mutual recognition of periodic training

In the Public Consultation the participants did not express a clear opinion on who should certify periodic training undergone in another Member State: the home country of the drivers having issued the driving licence or by the Member State in which the training was taken.

In the Stakeholder Conference it is stated uncertainty whether there is a problem, and if so, how big it is. There is support for a system that improves mutual recognition but there are concerns among the industry representatives about the possible costs that this may entail to the driver and his/her operator. Cost-effective measures that would improve the mutual recognition would be most welcome.

The interviews indicate that the problems related to mutual recognition of full trainings may only have a regional dimension since only in certain areas were these problems pointed out by the stakeholders.

The results of the consultation on this element has fed into policy making by recognising the incoherence of the Directive in this regard, and triggering further analysis of the scope of the problem and possible solutions.

Mutual recognition of driver attestation

During the CPC Committee meeting in October 2015 it emerged that Member States have different practise as regards issuing of driver attestations, and that this has led to problems of mutual recognition for drivers who have fulfilled their training obligations.

The results of the consultation on this element has fed into policy making by recognising the incoherence of the Directive in this regard, and triggering further analysis of the scope of the problem and possible solutions.

Legal uncertainty in minimum age

In the Public Consultation opinions differ on the minimum age requirements for young drivers

In the Stakeholder Conference there was a difference between the opinion of the academia and that of the industry on the right level of minimum ages to enter the profession. The former considers that lowering minimum ages would lead to increased risks of road accidents. The industry representatives, on the other hand, believe that young drivers (aged 18) do not represent a higher risk than older drivers, provided the selection criteria and the quality of training are right. Also, the industry representatives pointed out that there is a growing shortage of drivers, which could be compensated through maintaining the low minimum ages to enter the profession.

Nonetheless, both the academia and the industry believe that there are ways to mitigate the increased risk of causing road accidents posed by youngsters through mechanisms such as having the right training or other measures such as mentorship.

There is a broad consensus among the stakeholders that the minimum ages as laid down currently in the Directive (18 years for truck drivers and 21 for bus/coach drivers) are adequate. However, the current ambiguity with the Driving Licence Directive needs to be corrected.

In the Member States workshop, eight Member States expressed themselves in favour of considering that as professional drivers have to undergo additional testing, which goes beyond the normal driving licence testing to obtain the initial CPC, it might be considered that they drive at an earlier age than drivers, who have not undergone the CPC qualification. They mention the importance of not imposing restrictions to the access of young people to the profession, in particular since the profession is suffering from a shortage of young drivers and an aging workforce. A system of gradual access to professional driving requiring the various categories of C and D driving licences is perceived as less useful since there is particularly a need for transport relying on heavy trucks. Two Member States expressed that the minimum age requirements as they are currently set in Directive 2003/59/EC are considered appropriate.

The results of the consultation on this element has fed into policy making by recognising the incoherence between the Directives in this regard, and triggering further analysis of the scope

of the problem and recognising the clear preference of having the minimum ages according to the current (lower) ones of Directive 2003/59/EC.

Legal uncertainty in exemptions

From the Public Consultation there is no clear prevailing idea on how the scope of the Directive should be regulated to make it clearer.

From the Stakeholder Conference, the stakeholders' discussion showed that the scope of exemptions should not be increased from what is currently foreseen in the Directive. Alignment with Regulation 561/2006 is not seen as important but coherence between the two regimes is welcome. Improvements of the Directive on implementation should be given priority over extending its scope to other vehicles. There are reservations regarding the extension of the scope to drivers currently not covered, although a couple of stakeholders called for an extension to vans and small trucks.

Use of ICT-tools(e-learning)

In the replies to the Public Consultation there is support for regulating the use of e-learning instruments in the Directive.

Content of training

From the public Consultation respondents considers that the subjects currently covered by the training are seen as relevant and generally support greater harmonisation of the content of the periodic training.

In the Stakeholder Conference it was pointed out that the training should be meaningful for the drivers. This means that the periodic trainings should not comprise of merely repetitive courses, or include topics that are irrelevant for the driver. Rather, the training should take into account the individual needs of the driver.

From the interviews it emerged that Stakeholders were unable to present quantitative data on the impact of training on road safety and reduction of fuel use.

The results of the consultation on this element has fed into policy making by recognising that no major changes are needed on the training content, but some greater harmonisation could be considered, and especially avoiding repetitive courses in the periodic training.

Training System:

In the Stakeholder Consultation there was agreement that the training system has to be made more adaptable to the actual needs of the drivers and companies. There is also a need to make it more flexible over time and to introduce more direct involvement of the stakeholders and the industry. There is a consensus that quality assurance is important and we should find ways to increase the reliability and trustworthiness of the training centres. Almost all stakeholders agree that introducing a modular training structure would be a good way to go forward. There is a need to improve the adaptability and flexibility of the training system. The training should be meaningful and useful for the drivers. Similarly, cost-effective measures to provide better quality assurance would be received favourably.

In the Workshop some Member States expressed themselves in favour of a flexible model, e.g to have a mix between mandatory and optional modules for the periodic training, while other expressed satisfaction with the current structure. Some sympathy for an outcome oriented

approach was expressed. Some Member States mention that standardisation could be a solution to the existing problems with mutual recognition, while other are concerned with the burden with this approach, e.g. to training centres. Some Member States express their opposition to tests after the periodic training. Some Member States express concerns on the costs of the introduction of a system of sharing information from the national database similar to RESPER to help with mutual recognition, also of partial periodic training undergone in another MS.

The results of the consultation on this element have fed into policy making by triggering further assessments of the problems indicated. Further analysis has however not provided clear indications of a need for the EU to act by changing the structure of the current training provisions as indicated.

ANNEX 3:

Who is affected by the initiative and how

Table 1: Description of the stakeholders

Stakeholder		Description of the stakeholders group in 2014	Key interests	Main expected Impacts of preferred policy option
Road transport companies	Businesses providing international and domestic road freight and passenger transportation services	In 2014 there were circa 592.000 enterprises active in freight-related road transport and 336 000 enterprises in passenger-related road transport. Between 65% and 95% of transport enterprises represent SMEs.	Maintaining profitability and employment; legal certainty and a fair and level playing field for intra-EU competition; well-qualified workforce.	-Reduced costs in cross border regions of the MS concerned by mutual recognition -Increased labour supply in the MS concerned with minimum age -Increased clarity provides more predictability and level playing field
Professional Drivers	Human resources of road transport companies	In 2014 in EU-28 there were circa 3.3 million HGV and 0.9 bus drivers, out of which by the Directive were covered respectively around 2,8 and 0.8 million drivers.	Health and safety in the workplace, free movement, high quality training and professional career opportunities, good chances of employability	Full mutual recognition of periodic training, access to the profession at a lower age in concerned MS -A training content that further improves road safety and fuel efficiency Increased clarity provides more predictability and level playing field Access to the profession at an earlier age in concerned MS
Professional drivers affected by the	Professional drivers who live and work in different Member States	In 2014 there were around 48 700 drivers who lives in one MS, work in another	Maintaining the possibility to be employable, career opportunities;	Full mutual recognition of periodic training undergone in the MS where the driver

problem of mutual recognition	..	MS and could undergo periodic training there, but could not get the training mutually recognised		works.,
Training institutions	Training centres approved by the competent authorities of the Member States to organise the training courses for the initial qualification and periodic training.	Number of centres varies per Member State (less than 3 in Malta and Luxembourg to 1400 in the UK). The same applies the average number of drivers covered per training centre, ranging from circa 6,400 in Malta to 125 in Ireland.	Maintaining profitability and employment; legal certainty and a fair and level playing field for intra-EU competition	<p>-Adjustments in training content</p> <p>-Increased customer base in concerned border regions and in MS affected by minimum age</p> <p>Increased clarity provides more predictability and level playing field</p>
Authorities in Member State	National, regional and local bodies regulating the implementation of the Directive on their territory, in particular those responsible for the system of accreditation and quality control of the training centres or for recognition process of CPCs trainings.	National authorities in 28 Member States	Ensuring an efficient, effective and practical management framework that balances a wide range of stakeholder needs	<p>Issuing of DQC in concerned MS</p> <p>Reduce minimum age in concerned MS</p> <p>Adjust required training content on road safety and fuel efficiency</p> <p>Increased flexibility on combining trainings and on use of e-learning</p> <p>Legal clarity provides more predictability</p>
All other road users	All other road users, who are not professional drivers of HGV or bus.		Road safety	Safer professional drivers on the roads.

Annex 4: Methodological guide: Calculations made in the course of the impact assessment - Regulatory costs of different Policy measures

1 MAIN METHODOLOGICAL CONSIDERATIONS

In line with the Better Regulation Guidelines ⁴NPVs for costs and benefits in the period from 2018 till 2030 are calculated using a discount rate of 4% and a discount period 2018-2030. Calculations are carried out in constant prices (price levels 2013).

In the assessment of regulatory costs for stakeholders caused by the implementation of Directive 2003/59/EC three stakeholder categories are identified: enterprises, drivers, and public administrations. The components of the cost categories are as follows:

Total regulatory costs (TC) = Implementation Costs (IC) for public administrations + Compliance Costs (CC) for enterprises / drivers / training centres.

Compliance Costs (CC) for enterprises / drivers / training centres are defined as Substantive Costs (SC) + Administrative Costs (AC).

Substantive costs are costs made in order to comply with the content of the obligation that the Directive requires.

Administrative costs are the costs associated with information obligations stemming from the Directive.

The value of leisure time applied is 5.41 Euros per hour. It is calculated starting from the value of leisure time of 5.04 Euros of 2010 updated to 2013 values on the basis of the Eurostat data on the development of the Harmonised Index of Consumer Prices (HICP).

The value of an hour of FTE⁵ applied is 19.55 Euros. It is calculated taking as reference the 2010 value of hourly earnings of clerks in transport sector taken from the EU Database on Administrative Burden (i.e. 18.2 Euros) and updated to 2013 values on the basis of the Eurostat data on the development of the Harmonised Index of Consumer Prices.

When the training is carried out during working hours costs for the enterprises are calculated in terms of wages and lost profits. The hourly wage cost is assumed at 14,71 Euros based on 13,7 Euros of hourly wage for elementary occupations in 2010 taken from the EU Database on Administrative Burden and updated to 2013 values on the basis of the Eurostat data on the development of the Harmonised Index of Consumer Prices. Following Panteia (2014) lost profits are calculated as 12.5% of total wages.

The following table gives an overview of the cost components that will be taken into account in the calculation of total regulatory costs. The table shows the cost components, the cost categories, and the bearer of costs.

⁴ http://ec.europa.eu/smart-regulation/guidelines/toc_guide_en.htm

⁵ unit that indicates the workload of an employed person in a way that makes workloads or class loads comparable across various contexts

Table 1: Cost components regulatory costs

Cost components	Cost category	Bearer of costs
Time spend on training (value of leisure time) associated with initial qualification	Substantive costs	Training participants
Training and test fees associated with initial qualification	Substantive costs	Training participants
Issuing of driver qualification card or marking code 95 on driving license after initial training (time spend and administration fees)	Administrative costs	Training participants
Training fees and opportunity costs (wages / lost profits) associated with periodic training	Substantive costs	Enterprises Drivers Governments
Renewal of driver qualification card / code 95 on driving license after periodic training (time spend and administration fees)	Administrative costs	Drivers

2 BASIC DATA AND ASSUMPTIONS

2.1 Numbers of professional drivers

The total number of truck and bus drivers and the development of these numbers over time are taken from the European Union Labour Force Survey 2014⁶, executed by EUROSTAT. Based on the data from the Survey, the annual growth rate applied for both truck and bus drivers during the period 2013-2030 is assumed to be 2.03% and distribution between the HGV and bus/coach drivers is estimated to be 78.2% and 21.8% respectively. According to the research made by the external consultant, the Directive does not cover 13.2% of drivers holding C and D licenses under current system of exemption.

Based on the Eurostat data⁷ in 2014 the total transport of goods by road in the EU was 1.725.240 million tonne-kilometres, where 75.024 million tonne-kilometres of these were dangerous goods. Therefore, the transport of dangerous goods represents around 4,5% of the total transport of goods in the EU. In 2012 and 2013 the percentage was slightly higher, but always around 5%. It is therefore a safe assumption that the transport of dangerous goods represents around 5% of the overall transport of goods in the EU. In the same way the number of drivers engaged in transport of dangerous goods in the EU will be around 5% of the total amount of drivers in the EU. Finally, we assume that all professional bus and coach drivers from 2018 would need to pass the training on the passenger rights as carrying passengers follows directly from their job description, and most Member States exempt drivers from the training obligation until 2018.

Table 2: Drivers under the Directive in thousand people

Year	Total C and D	Professional drivers under the current exemption system
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	licence drivers	Total HGV and buses	HGV	buses	ADR	Totals buses +ADR
2013	4187	3634	2842	792	142	934
2014	4189.6	3636.6	2843.8	792.3	142.1	934.3
2015	4274.7	3710.4	2901.6	792.8	142.2	935.0
2016	4361.5	3785.8	2960.5	808.9	145.1	954.0
2017	4450.0	3862.6	3020.6	825.3	148.0	973.3
2018	4540.3	3941.0	3081.9	842.0	151.0	993.1
2019	4632.5	4021.0	3144.4	859.1	154.1	1013.2
2020	4726.5	4102.6	3208.3	876.6	157.2	1033.8
2021	4822.5	4185.9	3273.4	894.4	160.4	1054.8
2022	4920.4	4270.9	3339.8	912.5	163.7	1076.2
2023	5020.3	4357.6	3407.6	931.1	167.0	1098.0
2024	5122.2	4446.1	3476.8	950.0	170.4	1120.3
2025	5226.2	4536.3	3547.4	969.2	173.8	1143.1
2026	5332.3	4628.4	3619.4	988.9	177.4	1166.3
2027	5440.5	4722.4	3692.9	1009.0	181.0	1190.0
2028	5550.9	4818.2	3767.8	1029.5	184.6	1214.1
2029	5663.6	4916.0	3844.3	1050.4	188.4	1238.8
2030	5778.6	5015.8	3922.4	1071.7	192.2	1263.9

Source: the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

2.2 Number of trainees for initial qualification and periodic trainings

Only drivers who are entering the profession are supposed to follow initial qualification training. Therefore, we can assume that number of trainees for this type of CPC training is equal to the yearly increase of the drivers.

Table 3: Number of participants in training for the initial qualification training in thousands people

Year	Total
2015	73.8
2016	75.3
2017	76.9
2018	78.4
2019	80.0
2020	81.6
2021	83.3
2022	85.0
2023	86.7
2024	88.5
2025	90.3
2026	92.1

2027	94.0
2028	95.9
2029	97.8
2030	99.8
Total	2531

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

The situation is however different when it concerns professional drivers who wishes to undergo the periodic training. The Directive allows Member States to extend the deadline for drivers who obtained their C and D driving licence before 9 September 2009 and 9 September 2008 respectively to complete the first round of periodic training by 9 September 2015 for D licences and by 9 September 2016 for C licences. Therefore, and given the five years cycle of periodic training, the number of drivers affected is expected to vary over the years, with a peak every five years. In our calculations, we assumed that in 2016 (deadline year) all professional drivers, who are in the profession for at least 5 years had to follow the periodic training. For the upcoming years until 2021, periodic training requirement would apply to professional drivers who enter into the profession respectively between 2013 and 2012, 2014 and 2013, 2015 and 2014, 2016 and 2015. In 2021, the training will be required for drivers joining the profession between 2017 and 2016 *plus* all drivers who need to pass the periodic training in 2016 for the first time. Therefore, the number of drivers affected varies over the years, with a peak every five years (i.e. in 2021, 2026).

Table 4: Number of training participants for the periodic training in thousands people

Year	Definition	Drivers under the Directive
2018	$\Delta^* 2014$	80.8
2019	$\Delta 2015$	153.8
2020	$\Delta 2016$	156.9
2021	value** 2012 + $\Delta 2017$	3899.5
2022	$\Delta 2018 + \Delta 2013$	163.4
2023	$\Delta 2019 + \Delta 2014$	169.1
2024	$\Delta 2020 + \Delta 2015$	243.9
2025	$\Delta 2021 + \Delta 2016$	248.9
2026	$\Delta 2022 + \Delta 2017 + \text{value 2012}$	3993.2
2027	$\Delta 2023 + \Delta 2018 + \Delta 2013$	259.1
2028	$\Delta 2019 + \Delta 2014 + \Delta 2023$	266.8
2029	$\Delta 2020 + \Delta 2015 + \Delta 2024$	343.5
2030	$\Delta 2018 + \Delta 2016 + \Delta 2025$	350.5

* " Δ " stands for an increase in number of drivers between the year indicated and a previous one

** "value" stands for a number of drivers in the year indicated

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Number of foreign drivers affected by the problem of mutual recognition periodic trainings and associated costs for drivers and companies.

Only drivers nationals of other EU Member States who work in Austria, Germany, Greece, Latvia, Lithuania, Malta, the Netherlands and Poland are affected by the problem of the mutual recognition of their CPC training. These 8 countries opted solely for the option of marking Code 95 on the driving license. In the remaining Member States it is possible to get Code 95 on a DQC to foreign drivers, which ensures mutual recognition.

According to the Labour Force Survey statistics on employment of HGV and bus driver, in 2014 only four Member States, notably Austria, Germany, Greece and the Netherlands, had somewhat considerable shares of foreign drivers who were nationals of other EU Member States. For Lithuania, Malta and Poland, the sample of non-nationals was too small and the estimates were made on the basis of the overwhelming majority of national drivers in these countries, which brings the share of impacted foreign drivers in these MS close to 0%.

Table 5: Estimated breakdown of professional drivers (2014)

	Total number of drivers C and D (1000)	Total number of drivers covered by the Directive (1000)	National of the country	Non-National		Number of EU nationals potentially affected by the problem of the mutual recognition (1000)
				EU 28 nationals	others	
AT	67.1	58.2	81.5%	8.7*%	9.8%	5.1*
DE	710.5	616.7	89.5%	5.2%	5.3%	36.7
GR*	82.1	71.2	92.5%	3.0*%	4.5%	2.4*
LT**	41.5	36.0	~100%	~0%	~0%	~0
LV	26.3	22.9	85.4%	~0%	14.6%	~0
MT**	2.3	2.0	~100%	~0%	~0%	~0%
NL***	111.5	96.8	96.9%	1.5*%	1.6*%	1.7*
PL	395.8	343.6	~100%	~0%	~0%	~0

* Estimated share of HGV and bus drivers based on the overwhelming majority of national drivers in these nine countries, as the share of non-nationals possesses low reliability to be published.

* * The estimates are made based on very small data samples which implies a low reliability of data

*** The estimates of non-national drivers include those drivers who did not report their nationality

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

In most of these Member States the first round of period training has accomplished by 2014 and only the deadlines for both categories of professional drivers will expire in upcoming years. However, in the calculations, we assume that in 2016 (deadline year) all professional drivers, who are in the profession for at least 5 years have to follow the periodic training. As for calculations of the number of drivers following the periodic training, the number of drivers affected varies over the years, with a peak every five years (i.e. in 2021, 2026).

Table 6: Number of foreign drivers affected

Year	Definition	Number of drivers
2018	$\Delta 2014$	798
2019	$\Delta 2015$	823
2020	$\Delta 2016$	839
2021	value 2012 + $\Delta 2017$	39490
2022	$\Delta 2018 + \Delta 2013$	2052
2023	$\Delta 2019 + \Delta 2014$	1689
2024	$\Delta 2020 + \Delta 2015$	1732
2025	$\Delta 2021 + \Delta 2016$	1768
2026	$\Delta 2022 + \Delta 2017 + \text{value 2012}$	40437
2027	$\Delta 2023 + \Delta 2018 + \Delta 2013$	3018
2028	$\Delta 2019 + \Delta 2014 + \Delta 2023$	2675
2029	$\Delta 2020 + \Delta 2015 + \Delta 2024$	2738
2030	$\Delta 2018 + \Delta 2016 + \Delta 2025$	2794

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Given that the drivers need to fulfil the periodic training once in 5 years' time, we assume that they need to spent 1 working day of 7 hours to go to the country of their residence to undergo the periodic training there. This is done outside the working hours, therefore drivers do lose their daily wage and opportunity leisure costs. Companies in their turn lose daily profit for this day.

The following assumptions were made to estimate substantive costs associated with periodic driver training⁸:

- Costs are borne by enterprises are lost profits⁹.

⁸ For further details, see Panteia et al. (2014) Ex-post evaluation report: Study on the effectiveness and improvement of the EU legislative framework on training of professional drivers.

- In assessment of costs borne by drivers, it is assumed that training is done outside working hours and the cost components are value of lost leisure time and lost wages. For the hourly wages we use the study on road haulage¹⁰, that presents average driver costs for selected countries. Countries with missing values are adjusted based on the ratio estimated from EUROSTAT information on average gross earnings. The value of leisure time was estimated based on the VOT presented by the UNECE study (as described in the CE Delft handbook of external costs in the transport sector). The VOT for leisure was indicated to be € 4 (EU average, 1998). This value was updated to 2010 value (€ 5.04) using EU inflation figures. This value was then made comparable to the shadow-price of labour (methodology presented in the Guide to Cost Benefit Analysis of Investment Projects, DG REGIO, 2008) and differentiated for EU countries.

Table 7: Compliance costs to drivers and companies due to the biased application of the mutual recognition principle over 5 year period

	Number of EU nationals potentially affected by the problem of the mutual recognition (1000)	Hourly wage	Lost profits	Value of leisure time	Loss for businesses	Loss for drivers
AT	5.1*	28.20	3.53	8.36	144.0	1494
DE	36.7	27.64	3.46	8.44	888.4	9277
GR*	2.4*	17.30	2.16	3.29	37.0	352
LT**	~0	5.14	0.64	1.13	0.0	0
LV	~0	5.44	0.68	1.26	0.0	0
MT**	~0%	14.36	1.80	4.79	0.0	0
NL** *	1.7*	29.25	3.66	6.56	42.9	420
PL	~0	23.93	2.99	1.99	0.0	0
Totals					1112.3	11543.7

* Estimated share of HGV and bus drivers based on the overwhelming majority of national drivers in these nine countries, as the share of non-nationals possesses low reliability to be published.

* * The estimates are made based on very small data samples which implies a low reliability of data

⁹ Estimated lost profits, calculated as 12,5% of total wages, based on an average estimated profit of 5% in the sector, and an estimated wage share in total costs of 40%, based on Panteia (2013)

¹⁰ Panteia (2013): Cost comparison and cost developments in the European road haulage sector

*** The estimates of non-national drivers include those drivers who did not report their nationality

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Table 8: Development of the compliance costs to drivers and companies due to the biased application of the mutual recognition principle in the long-run in the concerned Member States ¹¹

Year	PV of losses for business	PV of losses for drivers
2018	16.8	54.9
2019	18.8	66.2
2020	19.2	65.0
2021	904.9	2952.5
2022	47.0	147.3
2023	37.2	106.5
2024	39.6	114.7
2025	40.4	112.5
2026	926.5	2484.7
2027	69.1	177.9
2028	59.7	143.3
2029	62.6	149.0
2030	63.9	146.1
Totals	2305.7	6720.7

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Table 9: Development of the compliance costs to drivers and companies due to the biased application of the mutual recognition principle in the long-run in the Netherlands

Year	PV of losses for business	PV of losses for drivers
2018	0.0 ¹²	0.0
2019	0.7	7.0
2020	0.7	6.9
2021	34.6	319.3

¹¹ Values are calculated for each of the Member State separately and put together in this table

¹² Between 2014 and 2013, there was a negative increase in the transport sector in the Netherlands. Therefore, for the sake of analysis, the value of the drivers subject to the periodic training in 2018 is considered as 0.

2022	1.8	15.8
2023	0.8	6.5
2024	1.5	12.1
2025	1.5	11.9
2026	35.4	268.6
2027	2.6	19.0
2028	1.6	11.2
2029	2.3	15.7
2030	2.4	15.4
Totals	85.9	709.3

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Table 10: Development of the compliance costs to drivers and companies due to the biased application of the mutual recognition principle in the long-run in Greece

Year	PV of losses for business	PV of losses for drivers
2018	3.0	7.5
2019	0.6	1.5
2020	0.6	1.5
2021	27.7	62.1
2022	1.5	3.2
2023	3.7	7.6
2024	1.3	2.6
2025	1.3	2.6
2026	28.4	52.3
2027	2.2	3.9
2028	4.4	7.5
2029	2.1	3.4
2030	2.1	3.3
Totals	79.0	159.2

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Table 11: Development of the compliance costs to drivers and companies due to the biased application of the mutual recognition principle in the long-run in Germany

Year	PV of losses for business	PV of losses for drivers
2018	13.8	47.4

2019	15.1	49.8
2020	15.4	48.9
2021	721.8	2209.3
2022	37.5	110.4
2023	30.1	85.1
2024	31.7	86.2
2025	32.3	84.6
2026	739.2	1859.5
2027	55.2	133.5
2028	48.1	111.9
2029	50.1	112.0
2030	51.1	109.9
Totals	1841.3	5048.7

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Table 12: Development of the compliance costs to drivers and companies due to the biased application of the mutual recognition principle in the long-run in Austria

Year	PV of losses for business	PV of losses for drivers
2018	0.0 ¹³	0.0
2019	2.4	7.9
2020	2.5	7.8
2021	120.7	361.8
2022	6.2	17.9
2023	2.6	7.3
2024	5.1	13.7
2025	5.2	13.4
2026	123.5	304.3
2027	9.1	21.5
2028	5.6	12.7
2029	8.1	17.8
2030	8.3	17.5
Totals	299.4	803.5

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

¹³ Between 2014 and 2013, there was a negative increase in the transport sector in Austria. Therefore for the sake of analysis, the value of the drivers subject to the periodic training in 2018 is considered as 0.

3 REGULATORY COSTS AND BENEFITS OF THE IMPACT ASSESSMENT POLICY MEASURES

This section reviews the development of the costs and savings linked to different measures, and how they are distributed between different stakeholders group.

PM 1: Requirement to recognize CPC certificate based on a standardized attestation document

This measure affects only those eight Member States, which currently mark Code 95 solely on the driving licence and for the foreign drivers active there. According to the finding of the external consultant, the price of a CPC attestation card, which is a standardized secured attestation document, is assumed to be 65 Euros¹⁴.

As according to our assumptions the first round of periodic training is accomplished in 2016 and only since that moment all foreign drivers are subject to follow the periodic training in the country of their residence.

Table 13: Discounted cost flow (thousands of euros)

Year	Discounted cash flow
2018	49.8
2019	51.4
2020	52.5
2021	2468.1
2022	128.3
2023	105.6
2024	108.3
2025	110.5
2026	2527.3
2027	188.6
2028	167.2
2029	171.1
2030	174.6

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Total NPV of this measure is minus € 6 303,000.

¹⁴ According to the findings of the impact assessment support study "Assistance on impact assessment on Directive 2003/59/EC on initial qualification and periodic training of drivers of certain good vehicles for the carriage of goods or passengers", Panteia et al (2015), the value of the a standardized secured attestation document in Germany, Austria and Greece account for 65 euros, while the value of the same document in the Netherlands is 57 euros. To account for a maximum effect on costs for the Member States, the value of the document in the Netherlands is also assumed as being 65 euros.

Table 14: Development of the costs for the implementation of the policy measure in the Netherlands

Year	PV of costs
2018	0.0 ¹⁵
2019	1.8
2020	1.7
2021	81.1
2022	4.0
2023	1.6
2024	3.1
2025	3.0
2026	68.2
2027	4.8
2028	2.8
2029	4.0
2030	3.9
Totals	180.1

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Table 15: Development of the costs for the implementation of the policy measure in the long-run in Greece

Year	PV of costs
2018	3.0
2019	2.6
2020	2.5
2021	105.7
2022	5.5
2023	12.9
2024	4.5
2025	4.4
2026	89.1
2027	6.7
2028	12.8

¹⁵ Between 2014 and 2013, there was a negative increase in the transport sector in the Netherlands. Therefore, for the sake of analysis, the value of the drivers subject to the periodic training in 2018 is considered as 0.

2029	5.8
2030	5.7
Totals	271.1

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Table 16: Development of the costs for the implementation of the policy measure in Germany

Year	PV of costs
2018	37.0
2019	38.9
2020	38.2
2021	1724.7
2022	86.2
2023	66.5
2024	67.3
2025	66.0
2026	1451.6
2027	104.2
2028	87.4
2029	87.5
2030	85.8
Totals	3941.2

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

Table 17: Development of the costs for the implementation of the policy measure in Austria

Year	PV of costs
2018	0.0 ¹⁶
2019	6.2
2020	6.1
2021	282.7
2022	14.0
2023	5.7

¹⁶ Between 2014 and 2013, there was a negative increase in the transport sector in Austria. Therefore for the sake of analysis, the value of the drivers subject to the periodic training in 2018 is considered as 0.

2024	10.7
2025	10.5
2026	237.8
2027	16.8
2028	9.9
2029	13.9
2030	13.6
Totals	627.8

Source: calculations made based on the Labour Force Survey statistics on employment of HGV and bus drivers (2014)

According to the findings of the external contractor¹⁷, Member States tend to reallocate financial burden for issuing secured papers on the targeted population of drivers. Therefore, it might be considered that the final payers for the measure would be drivers. However, following the statements made by Germany and Austria in the CPC committee¹⁸ this assumption might not always be the case and Member States might consider a part of this burden. In this analysis an even distribution of the costs between governments and drivers is assumed.

PM 2: Issuing a DQC to foreign drivers

This measure obliges Member States authorities to issue a DQC in a form of standardized secured attestation document to foreign drivers who undergo the periodic training on its territory. The price of the document and number of drivers affected is the same as discussed under PM 1.

PM 3: The use of RESPER as a system of exchange of information on completed CPCs

This policy measure affects all Member States. The costs incurred are the result of

- costs of a set-up of a national CPC register for those countries where it is not still put in place (one-off compliance cost);
- costs of interlinking/updating the Member States' interface to RESPER (one-off compliance cost)
- Running costs or time spent by the authorities in transferring the information (implementation costs).

National register

According to the information provided by the national authorities in the course of the evaluation and impact assessment support studies, 12 Member States do already own the CPC register and one Member State decided not to set it up due to the complexity of the training system. 14 Member States did not provide the information. It is reasonable to assume that a

¹⁷ Ex-post evaluation study report: Study on the effectiveness and improvement of the EU legislative framework on training of professional, Panteia et al. (2014)

¹⁸ Meeting of the CPC-Committee 23 October 2014.

third of Member State which did not provide information could already have a national register in place. This would imply that 10 Member States still need to set up a register.

To calculate the set-up costs of the national register, we will use an approach and data on ERRU register assessed by Ricardo Energy & Environment et al under the ex-post evaluation of Regulation (EC) No 1071/2009 and Regulation (EC) No 1072/2009.

As the ERRU register and RESPER are built on the same IT-architecture, and therefore share the core and main elements and features, costs related to the ERRU-register are considered relevant to estimate the costs for similar measures under RESPER.

Ricardo assessed that the costs of setting up a national register are broadly proportionate to the “size” of the national register. They categorized Member States under three different headings, i.e. small, medium and large and assessed the costs for each of the groups

Table 18: Ex-post costs for set up / upgrading of national registers (disregarding any prior costs)

Register size	Number of Member States	Member States	Ex-post set up cost (€ millions)*
Small	9	HR, CY, DK, EE, FI, LT, LU, MT	0.37
Medium	12	AT, BE, BG, CZ, EL, HU, IE, PT, RO, SE, SI, SK	0.51
Large	7	FR, DE, IT, NL, PL, ES, UK	1.25

Source: Ricardo Energy & Environment et al

However, as mentioned above only 10 Member States do need to set up a register. We assume an equal distribution among three categories of 9 countries for which information is not available and we will classify a Member States without the register as a large Member State. The total (one –off) for this element would amount for 7.64 million euro.

Costs of interlinking of RESPER to the national register

Member States need to update the interface to exchange information with the RESPER system to allow for the exchange of information. The approach for the assessment of these costs is taken following the estimates provided by Ricardo Energy & Environment et al for the ERRU register under the support study for the evaluation of the Road Haulage market¹⁹ and TUNER project (Wilson et al, 2009):

Table 19: Ex-post cost estimates for interconnection

Ease of implementation	Number of Member States	Ex-post interconnection cost (€ millions)
Easy	10	0.05
Medium	11	0.12

¹⁹ Ex-post evaluation of Regulation (EC) No 1071/2009 and Regulation (EC) No 1072/2009, Ricardo Energy & Environment et al (2015)

Ease of implementation	Number of Member States	Ex-post interconnection cost € millions)
Difficult	7	0.31
Total	28	3.94

Source: Ricardo Energy & Environment et al (2015)

This leads for 3.94 million of one-off investments for Member States.

Maintenance costs are used to be negligible, as all Member States have already put in place system of information exchange under the RESPER.

Running costs (administrative costs)

National administration will need to register the data on completed CPCs. These costs are of a running nature and will depend on the number of foreign drivers seeking the recognition of their training. Given the estimated 30 minutes for the registration of the CPC in the country of training and issuing the document in the country of the residence (15 minutes and 15 minutes respectively), the rolling costs for the period 2018 -2030 will make up around 2.27 million euros.

The total costs of policy measure 3 to the society over the period 2018-2030 are estimated to be 11.14 million euros for the national authorities.

PM 4 Driver attestation recognised without code 95

This option is not expected to produce any costs for the affected authorities, as all MS may continue with their current practise to indicate the code or not.

PM 5 Driver attestation recognised only with code 95

This option would imply costs on the authorities of those MS who do not currently mark code 95 on the licence. Based on information from 6 MS²⁰ 3 would have to change their practise. For the remaining MS we do not have information, but for the sake of calculations we might assume this measure could affect more than half of the remaining MS. The main costs are considered a one off cost related to the change of procedure, which is estimated to around 10 000 Euro per Member State. This gives a total cost of between 30 000-140 000 Euro.

PM 6:- Revision of Section I of Annex I (Content of Initial training)

The average initial qualification currently costs 1709 Euros per driver. The revision of section I of Annex I is estimated to lead to a one-off price increase of 5%. This would lead to cost increases of 85 Euros respectively per driver. It is reasonable to assume that the change of the system will primarily be of transitional nature, affecting the costs for the first four years only, while afterwards the system will be adjusted to the new requirements. These costs are substantive compliance costs borne by the drivers. This measure does not concern 11 Member

²⁰ Information was received on 9 October 2015 concerning Germany, Austria, Lithuania, Romania, Poland and the Netherlands, whereby the three latter would have to change practise.

States, which opts for test only option as the change of the training curriculum affects them only marginally.

Table 20: Cost development for new drivers under course and test system in thousand euros (applicable for 16 Member States)

Year	2018	2019	2020	2021	Total
Discounted cost flow	4,813	4,722	2,316	2,272	14,123

PM 7 – Revision of Section 4 of Annex I (Content of Periodic training)

Review of Section 4 of the Annex I related to the periodic training will bring only marginal level of costs compared to the current situation, as the revision would not impose new courses compared to the initial qualification training, but only require more diversity in the courses, and the topic of road safety to be covered.

PM 8 – Clarify the possibility to use e-learning in the revised Directive

This PM will not in itself produce any monetary costs or benefits, as it will be left to the Member States to decide whether or not to make use of this possibility.

PM 9 - Legal clarification of exemptions

The effect of this PM is related to which extent it affects the number of drivers who are subject to the requirements of the Directive. There is currently a significant difference between Member States on the number of divers exempted²¹. However, the available evidence does not suggest that this difference is due to different application of the exemptions. This difference might be due to different factors, such as different share of the affected transport operations. On this basis it is not expected that the share of drivers exempted will be significantly changed by clarifying the exemptions. The effects will go both ways, as some transport operations in some Member States previously exempted will be covered by the Directive and vice versa. However no significant increase or decrease on the total number of drivers is expected.

More clarity is expected to reduce uncertainty among stakeholders and thus lead to fewer requests to Member States authorities, leading to a reduction of the administrative costs for national authorities. Based on the available information, it has however not been possible to quantify this effect.

PM 11- Authorise Member States to allow the periodic training to be combined with other forms of training requirements

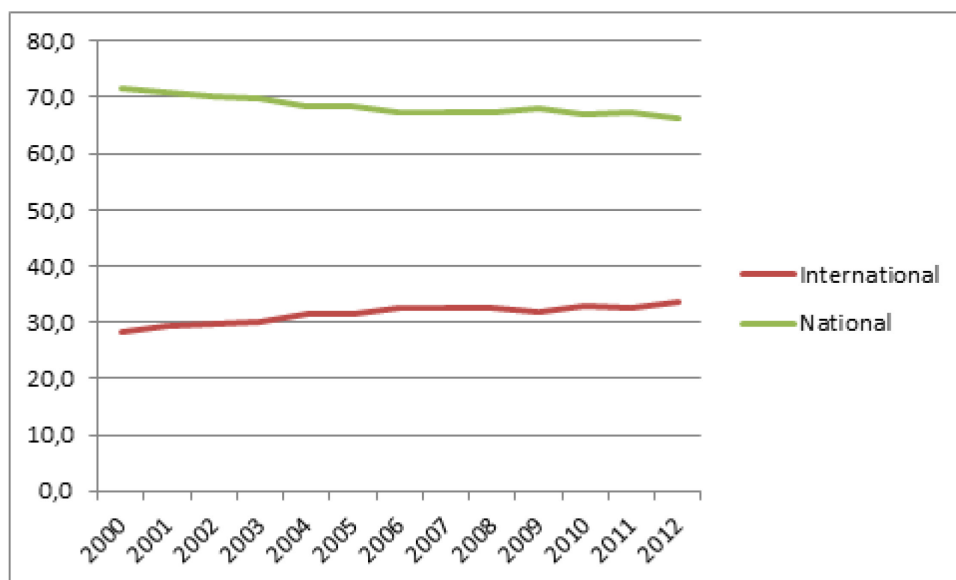
²¹ Ex-post evaluation study report: Study on the effectiveness and improvement of the EU legislative framework on training of professional, Panteia et al. (2014)

This PM will not in itself produce any monetary costs or benefits, as it will be left to the Member States to decide whether or not to make use of this possibility.

ANNEX 5:

Information supporting analysis of the problem definition

Table 1: Share of national and international road haulage on the basis of tkm²²



Source: European Commission 2014, EU Transport in Figures: Statistical Pocketbook 2014

Table 2: Minimum age requirements in the various Member States

Member State	Minimum age for drivers of C and CE categories		Minimum age for drivers of D and DE categories	
	With CPC	Without CPC	With CPC	Without CPC
AT	18	21	21	24
CZ	18	21	21	24
DE	18	21	21	24
DK	18	21	21	24
EE	18	21	21	24
ES	21	21	24	24
FI	21	21	24	24
FR	18	21	21	24
GR	18	21	21	24
HR	18	18	21	21
HU	21	21	24	24
IE	18	21	21	24
IT	21	21	24	24
LT	18	21	21	24
LV	21	21	24	24
MT	19	21	21	24
NL	18	21	21	24
PO	18	21	21	24

²²

Tkm = ton-kilometres

PT	18	21	21	24
SL	18	21	21	24
SK	21	21	24	24
SE	18	21	21	24
UK	18	21	21	24

Sources: Information provided by Member States to Commission in 2012; Assistance on impact assessment on Directive 2003/59/EC on initial qualification and periodic training of drivers of certain good vehicles for the carriage of goods or passengers, Panteia et al (2015), Communication by Croatia to the Commission in 2014, Communication by Hungary to the Commission in 2015

Table 3: Overview on the marking of code 95

Member State	Driving Licence	Driver Qualification Card	Driver Qualification Card for foreigners
Austria	X		
Belgium	X		X ²³
Bulgaria		X	
Croatia	X		
Cyprus		X	
Czech Republic	X		X
Denmark		X	
Estonia ²⁴	X	X	
Finland ²⁵	X	X	
France		X	
Germany	X		
Greece	X		
Hungary	X ²⁶	X	
Ireland		X	
Italy	X		X
Latvia	X		
Lithuania	X		
Luxembourg	X		X
Malta	X		

²³ As of 1st December 2014

²⁴ Both options are possible

²⁵ Driver can choose

²⁶ Under special circumstances

The Netherlands	X		
Poland	X		
Portugal		X	
Romania		X	
Slovenia ²⁷	X	X	
Slovakia		X	
Spain		X	
Sweden		X	
United Kingdom		X	
Norway	X		X

Source: European Commission

Table 4 *Costs of initial qualification and periodic training (EURO)*

	Initial training & test (140 hours)	Initial training & test (280 hours)	Test only system	Periodic training (35 hours)	Periodic training (35 hours), corrected for PPP (2012)
AT	Not relevant	Not relevant	280	250	237
BE	Not relevant	Not relevant	400	600	552
BG	No data received	No data received.	Not relevant	170	352
CY	Not relevant	Not relevant	68	50	57
CZ	1,000	No data received.	Not relevant	197	273
DE	3,500	No data received.	No data received.	600	593
DK	2,234	4,468	Not relevant	560	399
EE	450	1,350	Not relevant	160	208
ES	No data received	No data received.	Not relevant	165	174
FI	3,500	7,000	Not relevant	750	616
FR	4,500	No data received.	Not relevant	600	555
GR	Not relevant	Not relevant	40	110	119
HU	No data received	No data received.	Not relevant	170	282
IE	Not relevant	Not relevant	280	250	214
IT	No data received	No data received.	Not relevant	700	683
LT	750	No data	Not relevant	215	336

²⁷ Driver can choose

	Initial training & test (140 hours)	Initial training & test (280 hours)	Test only system	Periodic training (35 hours)	Periodic training (35 hours), corrected for PPP (2012)
		received..			
LU	2,800	4,500	Not relevant	960	786
LV	Not relevant	Not relevant	93	70	98
MT	Not relevant	Not relevant	70	50	64
NL	Not relevant	Not relevant	150	800	743
PL	1,690	2,165	Not relevant	250	441
PT	Not relevant	Not relevant	No data received	240	279
RO	Not relevant	Not relevant	No data received	80	144
SE	No data received	3,800	Not relevant	480	373
SI	600	No data received	Not relevant	200	241
SK	650	850	Not relevant	150	213
UK	Not relevant	Not relevant	304	433	372

Source: Ex-post evaluation study report: Study on the effectiveness and improvement of the EU legislative framework on training of professional drivers Panteia et al. (2014)

ANNEX 6:

Preselection of Impacts

1 DISCARDED FORMS OF POLICY INTERVENTIONS

1.1 Soft law – Promotion of best practices and exchange of information

Possible soft law measures include setting up working groups, workshops and seminars, platforms for exchange of best practices or organising information campaigns. The positive contribution these measures can make to the better implementation of the Directive are undisputed. Soft law measures may be effectively used in combination with hard law measures to reach some of the operational objectives set out above, such as clarification of legal uncertainties. However, left on their own, soft law measures alone do not allow addressing the problems identified with the current Directive. The non-binding nature of soft law measures would not ensure the uniform application of recommendations for example recommendations for better quality assurance of training or for greater focus on road safety relevant elements in training. So far the soft law measures applied, such as the issuing of notes of interpretation by the Commission and discussions during the CPC committee meetings, have failed to help overcome the existing difficulties with the correct application of the exemptions established in the Directive, as well as the uncertainty regarding the minimum age requirement.

An uneven application of soft law measures could on the one hand fail to achieve the desired outcome and on the other hand risk creating an even more unlevel playing field. This option was therefore discarded.

1.2 No EU action – Repealing the Directive without replacing it

The repeal of Directive 2003/59/EC, without replacing it by any other initiative at EU level, would bring the single market back to the time before Directive 2003/59/EC. Initial qualification and periodic training of drivers, and the related certification, would rest entirely upon Member States. The expected result of this is that some Member States would establish national qualification and training requirements for professional drivers, while other Member States would decide not to fill the void left by the repeal of the Directive with national legislation. This would create differences between drivers and undertakings depending on which Member States they are based in, negatively affecting the functioning of the single market. It would also deprive the transport sector from a quality-oriented, minimum standards instrument. The positive effect of the Directive on the quality of services and quality at work was also pointed out by UITP and ETF in a joint statement²⁸. A repeal of the Directive could also create difficulties in the mutual recognition of qualification of workers and subsequently the mobility of workers. Bilateral agreements may be reached between some Member States. However, this would not address the persistence of an unlevel playing field in the EU. The already mentioned transnational nature of transport by road would render national measures less effective, reducing the incentives for Member States to adopt them. The 'No EU action' option therefore carries the inherent risk of leading to a race to the bottom in terms of conditions for the transport sector at the expense of safety.

²⁸ UITP-ETF, 2014, Joint Statement.

1.3 Extension of the scope of the Directive to vans and small trucks -

In the reply to the public consultation almost half of the stakeholders (47 %, 187 respondents) suggested to include also professional drivers with B licences driving vehicles below 3.5t in the scope of the Directive. Of these 62% suggested to include vans, 28% suggested to include taxis)

The ex-post evaluation underlined that taxis and vans mainly operate at a domestic level and drive mostly short distances. Furthermore the road safety performance of light goods vehicles (LGV) is generally better than that of the entire fleet and also compared to Heavy goods vehicles (HGV) and buses and coaches, and the ex-post evaluation suggested that inclusion of LGVs in an initiative to be less relevant²⁹. In these circumstances this option has been discarded from further analysis. Member States are considered best placed to regulate on the matter at national level to the extent they deem it appropriate.

1.4 Changing the structure of the training

Stakeholder views and the ex-post evaluation recognized some shortcomings linked to the structure of the training and quality of trainers and training centres. Some Member States proposed that the training should be indicated in terms of needed know-how, and not in terms of hours of training. However, due to the lack of available data, the scope of these problems could not be estimated, and to what extent these shortcomings are linked to the Directive or to alternative factors. Furthermore, the current Directive does allow for different approaches to training and focus e.g. on needed know-how. On this basis it is not considered justified with legislative or other binding actions at EU-level and these options are discarded from analysis in the Impact Assessment, see also point 1.1 of the report.

The Commission will however consider non-legislative actions to raise the awareness on the potential benefits of different approaches to training and its quality assurance measures, and in that regard take into account European tools supporting the quality of training and the recognition of its outcomes (EQAVET, EQF, ECVET³⁰).

²⁹ See Ex-post evaluation study report: Study on the effectiveness and improvement of the EU legislative framework n training of professional, Panteia et al. (2014), point 2.4

³⁰ EQAVET – European Quality Assurance in Vocational Education and Training, EQF- European Qualification Framework, ECVET- The European Credit System for Vocational Education and Training

ANNEX 7:

Social impact

Baseline

A decline in the number of HGV-involved fatalities from 8,538 to 4,989 was observed over the period 2001 to 2010. Panteia³¹ estimates the trend to continue over time resulting in 2,742 HGV-involved fatalities by 2020 and 1,454 by 2030. For buses and coaches, a decline in the number of fatalities was observed over the period 2001 to 2010 from 1,115 to 692. This would mean that 371 fatalities in 2020 and 203 fatalities in 2030 caused by accidents involving buses and coaches could be expected.

Accident typology and relevance for driver training

As a result of in-depth accident investigations on the causes of accidents involving HGV, different types of accidents and different underlying causes for accidents could be identified. In particular, the ETAC study³² shows that 85,2% of accidents are human factor related. Similar findings were made by a recent study by Volvo Trucks³³ and the Dutch Safety Board³⁴. It is in these human factor related accident where driver training can offer safety improvement. A second important finding of in-depth studies on accidents involving heavy goods vehicles is that often the interaction between different vehicles is problematic and that very often (more than half of the time) the other vehicle initiated the accident³⁵. In particular the focus on danger recognition is considered very important in driver training as described also in section 5.2.1. Direct effect size estimations range from a reduction between 3% and 20% of accidents involving HGV for which human factors are identified.

Safety effects associated to training

Two elements are considered when looking at the impact on road safety of the policy measures on training content:

- Initial training content aimed at improving risk awareness/ risk perception and fuel efficient driving behaviour (PM 6);
- Periodic training including road safety topic and not repetition of the same training (PM 7)

The literature review in particular Mayhew & Simpson (2002)³⁶, Stanton, Walker, Young, Kazi & Salmon (2007)³⁷, a SWOV study³⁸, the ADVANCED³⁹ project, recognizes that at

³¹ Panteia (2015) IA support study.

³² IRU, 2007, Scientific Study "ETAC" European Truck Accident Causation.

³³ Volvo Trucks, 'European Accident Research and Safety Report 2013.

<<http://pnt.volvo.com/e/GetAttachment.ashx?id=26704>> accessed 20th February 2014.

³⁴ Dutch safety Board, 'Truck accidents on motorways' (2012) <http://www.onderzoeksraad.nl/docs/rapporten/Summary_Vrachtwagenongevallen_EN_web.pdf> accessed 20th February 2014

³⁵ <https://www.toi.no/getfile.php/Publikasjoner/T%D8I%20rapporter/2010/1061-2010/1061-2010-Sum.pdf>

³⁶ Mayhew & Simpson, 'The safety value of driver education and training Injury Prevention, 8, ii3-ii8' (2002).

‘danger recognition training’ drivers learn to recognise situations and analyse the situation for potential (imminent) dangers. The main benefits of such a training system lie in the possibility for the trainee to learn to recognize set-schemes (situation recognition) and to be able to constantly make use of the experiences gathered during the training session. Moreover, the focus on fuel efficient driving behaviour will also improve for road safety as this in general means a defensive, forward-looking driving style which is also safer driving behaviour.

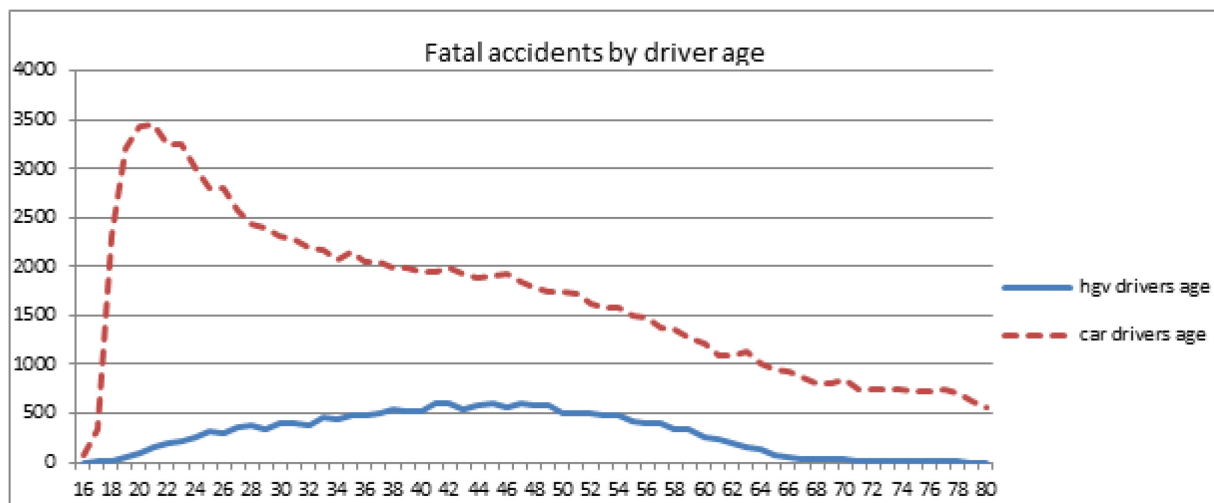
The maximum effect of updating the current training and bringing more safety oriented subjects with an explicit orientation on the danger recognition was considered two per cents. However, the effect of these policy measures is difficult to quantify due to the complexity of measures affecting the level of road safety and particular challenges in separating the effects of efforts on training

Safety aspects of minimum age for access to the profession

Available accident statistics in CARE have been analysed to assess whether negative effects of road safety may be expected in those Member States if the minimum age is lowered (PM 10).

Based on available statistics no clear correlation between minimum age for professional drivers and road safety performance could be identified. Thus no negative impact on road safety could be quantified as regards this policy measure.

Figure 1: Fatal accidents by driver age



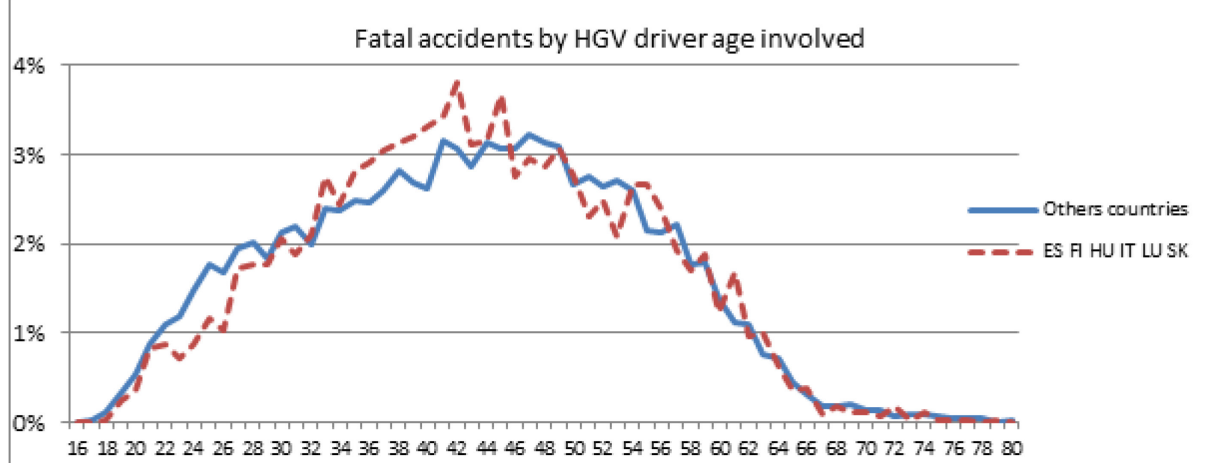
Source: CARE database

³⁷ Stanton, Walker, Young, Kazi & Salmon, 'Changing drivers' minds: the evaluation of an advanced driver coaching system, Ergonomics, 50, 1209-1234' (2007).

³⁸ SWOV (2012) De rijvaardigheidseisen in Midden- en Oost-Europese lidstaten en ongevallen en overtredingen van buitenlandse bestuurders in Nederland.

³⁹ CIECA, 'Available Documentation' (2010-2014).

Figure 2: Fatal accidents by HGV driver age involved



Source: CARE database

ANNEX 8: Exemptions

Overview comparing exemptions of DIRECTIVE 2003/59/EC with REGULATION (EC) No 561/2006 where alignment of the Directive with the Regulation is considered

Directive 2003/59/EC (CPC)	Regulation (EC) 561/2006 (561)	Assessment	Preliminary conclusion
a) vehicles with a maximum authorised speed not exceeding 45 km/h	Art. 3(b): vehicles with a maximum authorised speed not exceeding 40 kilometres per hour	- 5 kmh distinction - Note that while tractors are generally excluded from CPC, this is not the case for 561	- Provisions are legally clear, but not coherent - No indication of need to extend scope of CPC - limited number of vehicles affected
b) vehicles used by, or under the control of, the armed forces, civil defence, the fire service and forces responsible for maintaining public order	Art. 3(c): vehicles owned or hired without a driver by the armed services, civil defence services, fire services, and forces responsible for maintaining	-Wording more or less the same -561 is restricted "the carriage is undertaken as a consequence of the tasks assigned to these services"	Align by including "the carriage is undertaken as a consequence of the tasks assigned to these services"

	public order when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control	<ul style="list-style-type: none"> - Indications of uncertainty on the use for other purposes – would be resolved with the above restriction 	
d) vehicles used in states of emergency or assigned to rescue missions	Art. 3(d): vehicles, including vehicles used in the non-commercial transport of humanitarian aid, used in emergencies or rescue operations	<ul style="list-style-type: none"> - 561 more specific - includes "non commercial transport of humanitarian aid" - No indications of clear concerns from ex post evaluation. 	For coherence and legal clarity include "non commercial transport of humanitarian aid".
e) vehicles used in the course of driving lessons for any person wishing to obtain driving licence or a CPC, as provided for in Article 6 and Article 8 (1)	Art 13(1)(g): vehicles used for driving instructions and examination with a view to obtaining a driving licence or a certificate of professional competence, provided that they are not being used for the commercial carriage of goods and passengers	<ul style="list-style-type: none"> - 561 is more specific – restricts to "non-commercial carriage of goods and passengers" and includes "instruction and examination" - Legal uncertainty indicated in ex post evaluation on combination with commercial transport 	Align by restricting to "non-commercial carriage of goods and passengers" and "instruction and examination"
f) vehicles used for non-commercial carriage of passengers or goods for personal use	Art. 3(h): vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7;5 tonnes used for the non-commercial carriage of goods	<ul style="list-style-type: none"> - CPC I some sense wider than 561(no weight or passenger limit) but limited to personal use - "personal use" causes Uncertainty on driving for charities/non-profit organisations - personal use was deleted 	Delete "personal use"

	<p>Art 13(i): vehicles between 10 and 17 seats used exclusively for the non-commercial carriage of passengers</p>	<p>with 561 because of interpretation difficulties (point 27 last intent Explanatory Memorandum of COM proposal (COM 2001/0573/final))</p>	
<p>g) vehicles carrying material or equipment to be used by the driver in the course of his or her work, provided that driving vehicles is not the driver's principle activity</p>	<p>Art 3(aa): vehicles or combinations of vehicles with a maximum permissible mass not exceeding 7,5 tonnes used; for carrying materials, equipment or machinery for the driver's use in the course of his work and which are used only within a 100 km radius from the base of the undertaking, and on condition that driving the vehicles does not constitute the driver's main activity.</p> <p>– Art. 13(1)(b): vehicles used or hired, without a driver, by agricultural, horticultural, forestry, farming or fishery undertakings for carrying goods as</p>	<p>- Some differences (561 explicitly includes combinations of vehicles, 561 applies only up to 7,5 t, 561 also includes machinery, 561 has a 100 km radius limit)</p> <p>- Some clarity in court rulings under 561:</p> <p>- case 554/09: 'materials' not covering packaging materials, such as empty bottles, carried by a wine and drinks merchant who runs a shop, makes deliveries to his customers once a week and, while doing so, collects the empty bottles to take them to his wholesaler.</p> <p>Case 128/04: 'material or equipment' covers not only 'tools and instruments', but also the goods, such as building materials or cables, which are required for the performance of the work involved in the main activity of the driver of the vehicle concerned.</p> <p>- Transport of fruit and vegetables by the farmer to market covered is no issue under 561 as covered by 13(1) (b) or (c).</p>	<p>- Include "machinery" for coherence and marginal improvement of clarity</p> <p>- Add the 561 Art 13(1)(b) exemption to clearly exempt farm related goods transport by trucks of ancillary nature to the main activity of farming.</p>

	<p>part of their own entrepreneurial activity within a radius of up to 100 km from the base of undertaking</p> <p>(13(1)(b) was in the repealed Regulation 3820/85(Art 13 c), kept but tightened in COM proposal in 2001 ("used or hired without a driver").</p> <p>"entrepreneurial condition" added during co-decision.)</p>	<p>Understanding of the exemption of the Directive is not aligned with 561- ref ECJ 554/09 – point 25" "It follows that the materials are intended to be used or are required to create, modify or transform something else and are not intended to be simply transported for their own delivery, sale or disposal. The materials being thus subject to a transformation process, they do not constitute goods intended for sale by their user."</p> <p>- Adding the 561 Art 13(1)(b) exemption would provide clarity for farm related goods transport with trucks which would also take into account the SMEs in this sector.</p> <p>- radius can be relevant to underline the objective to facilitate the ancillary nature (transport to local markets etc), and not long distance transport.</p> <p>- radius can reduce risk of undermining the objectives (using professional drivers without competence) even without "principal activity clause"</p>	
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ANNEX 9:

List of Abbreviations

Abbreviation	Abbreviated Term
ADR	Training for Drivers of Vehicles carrying Dangerous Goods
CIECA	International Commission for Driver Testing
CPC	Certificate of Professional Competence
DSLV	Deutscher Speditions- und Logistikverband
DQC	Driver Qualification Card
EC	European Commission
EU	European Union
EQAVET	European Quality Assurance Reference Framework
EQF	European Qualifications Framework
ECVET	European Credit System for Vocational Education and Training
GO	General objective
HGV	Heavy goods vehicle
ICT	Information and Communication Technologies
IRU	International Road Transport Union
OO	Operational objective
PO	Policy option
SO	Specific objective
SME	Small and medium-sized enterprises
RESPER	European Union Driving Licence Network
TACHOnet	European Union Network for exchange of tachograph information
TEC	Treaty Establishing the European Community

TFEU

Treaty on the Functioning of the EU