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COVER NOTE

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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT Accompanying the document Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/96/EC on road infrastructure safety management

Delegations will find attached document SWD(2018) 176 final.

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COMMISSION STAFF WORKING DOCUMENT
EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT

Accompanying the document

**Proposal for a Directive of the European Parliament and of the Council amending
Directive 2008/96/EC on road infrastructure safety management**

{COM(2018) 274 final} - {SEC(2018) 226 final} - {SWD(2018) 175 final}

Executive Summary Sheet

Impact assessment on the revision of Directive 2008/96/EC on road infrastructure safety management and Directive 2004/54/EC on minimum safety requirements for road tunnels in the trans-European road network

A. Need for action

What is the problem and why is it a problem at EU level?

In spite of continued action at EU, national and local level, the reduction of road fatalities in the EU has stagnated in recent years, and it appears unlikely that the EU's strategic objective of halving road fatalities by 2020 compared to 2010 will be reached. Reinforced action is needed across the field, including as regards road infrastructure, which remains an important crash cause and severity factor in about 30% of accidents. The impact assessment and consultations have identified two main problems: A large share of travel on the TEN-T network in the East and some share in the West of Europe is made on roads with low safety performance; and the in-built safety of roads outside the TEN-T network is low. There are large differences between the overall safety performance of roads in Western and in Eastern EU Member States.

What should be achieved?

As a general objective, the initiative aims at reducing road fatalities and serious injuries on EU road networks through improved safety performance of road infrastructure. The four specific objectives are: 1) Foster harmonisation and knowledge sharing between Member States on procedures and requirements; 2) Protect vulnerable road users; 3) Improve the deployment of new technologies; and 4) Improve the follow-up on findings of road infrastructure safety management procedures.

What is the value added of action at the EU level (subsidiarity)?

In general, negative externalities of road transport, including road deaths and injuries, congestion and pollution, are trans-boundary problems that cannot be solved by national or local action alone. The main benefits of EU action in the context of this initiative lie in the convergence towards higher levels of infrastructure safety across the EU. Travelling on roads throughout the EU will become safer whereby less well performing countries will be able to benefit from the experience of more advanced countries. EU-wide setting of general performance requirements, e.g. for road markings and road signs, will facilitate and accelerate the deployment of new safety elements that rely on features of the road infrastructure, such as lane keeping assistance. As for vulnerable road users, action at EU level will ensure that road assessment programmes assess separately the safety of vulnerable road users with a view to improving their safety throughout the main road network in the EU.

B. Solutions

What are the various options to achieve the objectives? Is there a preferred option or not? If not, why?

Options applicable to the TEN-T network (Policy Options 1-3) and those applicable to part of the network beyond TEN-T (Policy Options A-C) were assessed separately.

Policy Options on the TEN-T network

- **PO 1** consists of "soft" measures to promote knowledge sharing, combined with legislative measures to improve the transparency of procedures and to introduce requirements to focus on assessing the safety of vulnerable road users and to facilitate the deployment of new technologies. It also creates an improved interface between the Road Infrastructure Safety Management (RISM) Directive and the Tunnel Safety Directive.

- **PO 2** builds on Option 1 and adds compulsory follow-up of inspections through risk based prioritisation plans, network-wide safety inspections and general performance requirements for road markings and road signs.

- **PO 3** builds on Option 2 and adds a minimum safety level to be achieved on TEN-T roads, in combination with defining additional minimum performance requirements for road furniture (motorcycle-friendly guardrails).

Policy Options on the non-TEN-T network

- **PO A** makes any road project on the national road network that is financed fully or partly with EU funds subject to the procedures prescribed in the RISM Directive.

- **PO B** makes the procedures of the current RISM Directive mandatory for national/main roads outside the TEN-T.

<p>- PO C builds on Policy Option B and extends the measures of Policy Option 2 to national/main roads outside the TEN-T. The preferred options are respectively PO 2 and PO C. These 2 options can be combined.</p>
<p>What are different stakeholders' views? Who supports which option?</p> <p>Measures aimed to improve transparency and follow-up as well as to better address the needs of vulnerable road users receive broad support. There is also openness towards the idea of network-wide inspections, with however some Member States raising concerns about mandating a minimum safety level for TEN-T, especially in terms of costs and the methodology to be used. The extension of the scope beyond TEN-T proved the most controversial proposition, with NGOs and businesses preferring an extension and Member State authorities preferring to keep the application limited to TEN-T.</p>
<p>C. Impacts of the preferred option</p>
<p>What are the benefits of the preferred option (if any, otherwise of main ones)?</p> <p>The combination of Policy Options 2 and C is expected to have the following impacts:</p> <ul style="list-style-type: none"> - Positive impact in terms of reducing road fatalities by an estimated 3,200 lives and an estimated reduction by 20,700 of serious injuries in 2020-2030 compared to the baseline (14,650 lives saved and 97,502 serious injuries avoided in 2020-250). - Proper follow-up of RISM procedures in general and network-wide inspections in particular will result in many small scale interventions on the road network covered. Such activities are typically carried out by SMEs, who are therefore likely to benefit from the initiative. - The measures might also have small positive environmental impacts. Fewer road crashes could marginally improve the overall flow of traffic. This might reduce congestion and thus energy consumption and air emissions. However these impacts are expected to be very limited and are thus not quantified.
<p>What are the costs of the preferred option (if any, otherwise of main ones)?</p> <p>An estimated 9,444 million euros as a result of implementing the relevant procedures and making the necessary upgrades to the road network.</p>
<p>What are the impacts on SMEs and competitiveness?</p> <p>SMEs are likely to benefit from this initiative (see above). Due to the relatively localised nature of the activities, no impacts are expected on the competitiveness of EU companies.</p>
<p>Will there be significant impacts on national budgets and administrations?</p> <p>Yes, the costs of the initiative will be borne by national budgets and administrations. However, the costs will be more than compensated by the social benefits of the initiative.</p>
<p>Will there be other significant impacts?</p> <p>No.</p>
<p>Proportionality?</p> <p>The preferred option does not exceed what is necessary to solve the original problem and meet the objectives of the initiative. The extension in scope beyond TEN-T is proportionate as it targets 15% of the road network by length which is responsible for approximately 39% of road fatalities in the EU. To further ensure proportionality, Member States will be involved in the exact definition of the road network concerned.</p>
<p>D. Follow up</p>
<p>When will the policy be reviewed?</p> <p>Once the new legislative framework has become applicable in its entirety, the Commission services will carry out an evaluation to verify whether the objectives have been reached. This evaluation, based on the safety rating of the roads covered by the procedures, the key progress indicator defined in the impact assessment, is intended to determine whether the new measures have resulted in an improvement of the situation.</p>