

Impact assessment of the amendment to the vehicle inspection regulations regarding the inspection of the eCall system

The Swedish Transport Agency's proposal:

That the Swedish Transport Agency's regulations and general recommendations (TSFS 2017:54) on vehicle inspections are amended by removing the requirement to inspect the eCall system during vehicle inspections.

A. General

1. What is the problem or the reason for the regulation?

Directive 2014/45/EU, through Delegated Directive (EU) 2021/1717, has been supplemented with a requirement to check the 112 emergency call system, eCall, in vehicles where the system is mandatory. There is a mandatory requirement that new types of vehicles placed on the market after 31 March 2018 must have eCall installed, but older types of vehicles may still be sold either without eCall or with a voluntarily installed eCall system.

The telecoms industry has decided to phase out the 2G and 3G mobile communications networks in stages by the end of 2027. The phase-out will begin with the shutdown of the 3G network by the end of 2025: some eCall systems use and are dependent on this network. When communication cannot be established, the vehicle's fault diagnosis system triggers a warning and the warning lamp indicating a malfunction in the eCall system lights up. There is no such requirement in the vehicle regulations, but manufacturers have nevertheless opted to allow the warning lamp to light up. Additional information from the diagnostic system is needed to understand the reason why the warning lamp has come on. Otherwise, there is a risk that vehicles may be failed for a defect that does not actually exist in the vehicle and that the vehicle owner is unable to remedy.

In the inspection programme of the vehicle inspection regulations (TSFS 2017:54) – that is, the detailed plan describing which components or parts are to be inspected, how they are to be inspected and how they are to be assessed – there are a number of inspection points linked to eCall that cannot be implemented. This is due to factors such as a lack of data or information on the constituent parts of the systems, software version, functionality and self-diagnostics. The obligation for manufacturers to

provide the necessary information at the time of inspection is regulated by EU Regulation 2019/621/EU, which at present does not require manufacturers to provide information on eCall. A further obstruction for inspection is that neither the information recorded in the road traffic register nor the vehicle itself clearly indicates whether it is subject to the mandatory requirement to have an eCall system.

Directive 2014/45/EU, Annex 1, point 1, paragraph 5, indicates that reasons for failure do not apply in cases in which the reasons relate to requirements that were not applicable under the relevant vehicle approval legislation at the time when the vehicle was first registered or put into service, or under retrofitting requirements. This means that vehicles risk being failed incorrectly if the requirement is applied to vehicles that are not required to have a mandatory eCall system.

In summary, the shutdown of 2G and 3G networks, the design of vehicles, the complexity of the systems and the lack of methodology, equipment and information on vehicles and systems make it impracticable to inspect eCall systems at present.

2. What is to be achieved?

The purpose of this amendment is to ensure that vehicles are not failed for defects that cannot be remedied. As eCall systems using 2G/3G connectivity will cease to function when these networks are phased out, the conditions for inspection bodies to carry out the inspection will no longer exist. For this reason, the amendment needs to be implemented as soon as possible.

The proposed regulation also addresses the other problems with implementing eCall inspections as described in section 1.

3. What are the possible solutions?

3.1 Impact if nothing is done?

If the removal of the requirements for inspection of eCall cannot be implemented, this means that vehicles will fail vehicle inspections due to defects that vehicle owners cannot remedy.

3.2 Alternatives that do not involve regulation

As there are currently prescribed requirements to inspect eCall during a vehicle inspection, the only solution to the problem is to remove the requirement from the regulations.

3.3 Regulatory alternatives

Option 1: (our proposal) The inspection of eCall is removed until the conditions are in place to conduct the described inspections. The entire

paragraph 7.13 in Annex 1 of TSFS 2017:54 is deleted. Furthermore, the definition of 112-based eCall system in vehicles is removed from the list of definitions.

Option 2: Inspection bodies are themselves responsible for ensuring that they have access to the information they need to determine whether the vehicle is subject to the mandatory eCall requirement. Inspection bodies also need information about the vehicle in respect of which components are installed, the location of the components and how the functioning of the components can be verified. This information is needed for every vehicle put into service as of May 2018 onwards. The Swedish Transport Agency considers that it will be too difficult for inspection bodies to complete this task, and we have chosen not to proceed with this option.

Option 3: The Swedish Transport Agency is awaiting the ongoing revision of the inspection package to see whether it contains any proposals for a solution to this problem. In the meantime, it would not be possible to inspect vehicles according to the requirements defined and vehicles would be failed without the possibility of repair, resulting in their use on the roads being prohibited. The Swedish Transport Agency has decided not to pursue this option as it does not resolve the problem for individuals when the 2G and 3G networks are shut down.

4. Who is affected?

Vehicle owners and inspection bodies are affected by the proposal.

5. What consequences will the regulation have?

5.1 Companies

(X) The regulation is not deemed to significantly impact working conditions, competitiveness or other conditions for companies. All consequences for companies are therefore described under 5.1.

() The regulation is deemed to significantly impact working conditions, competitiveness or other conditions for companies. Therefore, the impact assessment does not contain a description under 5.1: instead, all consequences for companies are described in Section C.

Inspection bodies will need to adapt their vehicle inspections to exclude inspection of eCall. It may also be necessary to make minor adjustments to the inspection bodies' IT systems.

5.2 Individuals

This will mean that owners of vehicles with eCall systems that cannot be inspected, do not work or cannot be repaired because the failure is not due

to a defect in the vehicle's system will not have to pay for such a repair or alteration. If the system stops working, the vehicle owner's obligation to ensure that the vehicle is in the prescribed condition remains, but the check during the inspection will be omitted.

5.3 Public authorities at national, regional or local level

The proposal is expected to have no impact on public authorities at national, regional or local level.

5.4 Environment

The proposal is not expected to have any impact on the environment.

5.5 External effects

The proposals are not expected to have any impact on road safety and the environment.

6. Summary of options considered and why the proposed regulation is considered the best option

The Swedish Transport Agency considers option 1 to be the best option at present. The advantage of this option is that the amendment can be implemented immediately and resolves the issue straight away. The other options require additional criteria, such as information on vehicles and any support systems, which are not available at present. There may possibly be other solutions to the problem through amendments in future harmonised EU regulation.

7. What authorisations form the basis for the authority's decision-making powers?

The Swedish Transport Agency's authorisation is set out in Chapter 8, Section 16 of the Vehicle Ordinance, which states that the Swedish Transport Agency may issue regulations on the scope of the inspection referred to in the Vehicle Ordinance.

8. Is the regulation consistent with the obligations arising from EU law or other international regulations, or does it exceed them?

The main EU legal framework for inspection is Directive 2014/45/EU. This Directive is a minimum standard and has been transposed into Swedish law, mainly through the Swedish Transport Agency's regulations TSFS 2017:54. The proposed regulation is consistent with EU law, and also with other international regulation.

As regards eCall, the Swedish Transport Agency makes use of the possibility in the Directive to exempt certain vehicles from requirements when inspections cannot be carried out. Parts of the rules constitute technical requirements, so the draft regulation needs to be notified to the European Commission.

9. Does special consideration need to be given regarding the date of entry into force, and is there a need for special communication initiatives?

As eCall systems using 2G/3G connectivity will cease to function when these networks are phased out, the conditions for inspection bodies to carry out the inspection will no longer exist. For this reason, the amendment needs to be implemented as soon as possible. The Swedish Transport Agency therefore plans to adopt the regulations following completion of the notification procedure for technical regulations in accordance with the Ordinance on Technical Regulations (1994:2029), and for them to enter into force as soon as possible thereafter.

B. Fulfilment of transport policy goals

The overall goal of Swedish transport policy is to ensure a socio-economically efficient transport provision that is sustainable in the long term for both citizens and businesses throughout the country. The overall goal also includes performance goals and health, environment and safety (HES) goals with a number of prioritised areas.

The performance goal is to create accessibility for people and goods. The design, functioning and use of the transport system shall help to provide everyone with basic accessibility of high quality and usability, as well as contributing to development throughout the country. At the same time, the transport system must be gender-equal, which means it should respond to the transport needs of both men and women in equal measure.

The HES goal concerns health, environment and safety. The design, functioning and use of the transport system shall be adapted to ensure that no one is killed or seriously injured. It shall also contribute to the overall generational goal for the environment and to attainment of the environmental quality goals, as well as helping to improve health.

10. How does the regulation affect the performance goal?

With the proposed regulation, vehicle owners will retain the same level of access to the transport system as they have today.

11. How does the regulation affect the HES goal?

The proposal is not considered to have an impact on the HES goal.

C. Companies

The regulation is not deemed to significantly impact the working conditions, competitiveness or other conditions for companies. All consequences for companies are therefore described under point 5.1.

D. Summary of consequences

Affected party	Impacts that cannot be quantified		Quantified impact (SEK thousands)	Comments
	Advantages	Disadvantages	+ / -	
Companies		Inspection bodies will need to adapt their vehicle inspections to exclude inspection of eCall. It will also be necessary to make minor adjustments to the inspection bodies' IT systems.		
Citizens	The proposed amendment regarding the inspection of 112-eCall systems means that vehicle owners will not be prohibited from using their vehicles due to defects that cannot be remedied by repairing the vehicle.			

Affected party	Impacts that cannot be quantified		Quantified impact (SEK thousands)	Comments
The State, et al.				
External effects				
Total				

E. Proportionality of the proposal

The proposal is deemed to be proportionate, and we consider that the proposal, viewed together with other regulation in the area, does not involve more far-reaching costs and restrictions for those affected than are necessary to achieve the purpose of the rules.

F. Follow-up and evaluation

The failure rate could be monitored by means of statistical examination of defects reported to the road traffic register, but such examination only takes place as a targeted initiative if defects are brought to our attention. Statistical follow-up takes place on an ongoing basis through the Swedish Transport Agency's supervision of the inspection market. The results are presented in an annual report. The impact on road safety and the

environment is more difficult to monitor as it is not possible to perceive links between inspection requirements and road accidents.

G. Consultation

In 2019, the Swedish Transport Agency established an inspection committee, with two working groups, to consult with the entire industry in respect of both vehicle inspections and registration inspections. These working groups have included the Police Authority, inspection bodies, representatives of the haulage industry, the trade organisation for manufacturers and importers, and historic vehicle and motorcycle organisations, all of whom have contributed views and input on shortcomings in the current regulation.

If you have any questions regarding the impact assessment, or any opinions you would like to share, please contact us:

Anders Gunneriusson
010-49 55 667
anders.gunneriusson@transportstyrelsen.se

Niklas Aspholme
010-49 56 712
niklas.aspholme@transportstyrelsen.se