

**ASSESSMENT REPORT ON THE IMPACT OF THE MEASURES PROPOSED IN THE
PRELIMINARY DRAFT LAW GOVERNING THE LEGAL REGIME APPLICABLE TO THE
PROVISION OF THE VEHICLE TECHNICAL INSPECTION SERVICE**

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1. Context analysis and identification of options.

1.1 Identification of the problem

1.1.1 Origin and introduction to the context of the sector.

The main purpose of the vehicle technical inspection is to periodically verify that vehicles comply with the safety and environmental conditions required by the regulations applicable at the time they were adopted or, where appropriate, adapted. Its aim is also for further inspections to be carried out in connection with overhauls and other procedures.

The purpose of vehicle technical inspections is to detect mechanical defects in vehicles that might compromise road safety, and is therefore mandatory under current regulations.

This mandatory nature of vehicle technical inspections requires the competent public administration to ensure that the relevant service is provided properly, both in terms of the existence and sufficiency of a network of inspection centres in the territory, and ensuring the quality of the inspection services provided.

This public-intervention regime has been evolving in order to adapt to the changing needs of the service and of the existing vehicle fleet. Thus, since commencing its activities in 1982, the Generalitat of Catalonia decided to outsource the inspection service to private operators, choosing, in a first stage, the legal regime of an administrative concession.

The Generalitat's activities in the field of the ITV began in 1982, with the adoption of Decree 54/1982, of 4 March 1982, regulating the network of motor vehicle inspection stations in Catalonia. The general criteria that were followed by the establishment of this network were that no vehicle should travel more than 50 km for inspections to be performed, avoiding the accumulation of inspection stations in a given area, so that, once the network was determined, stations could be sized and located according to the fleet in its catchment area.

The Generalitat defined a model of indirectly managing the service through the concept of the administrative concession, with a system of single rates approved by the Administration, by the Order of 21 June 1982, adopting the Regulation on the organisation and legal regime of the Vehicle Technical Inspection Service in Catalonia, establishing that the Vehicle Technical Inspection Service would be carried out by the contracting entities of a public tender, that needed to meet the conditions defined by the Collaborating Entities of the Administration, that the concessions would be for a period of 20 years, extendible for 5 years successively, with a maximum of 99 years, and that the legal regime of concessions would be formalised by contracts and, in so far as it was not foreseen by them, as provided for in State public procurement legislation.

Based on the above, the territory of Catalonia was divided into 13 concession areas. Each integrated area of several whole regions (except the Barcelonés region, which was divided into two zones). The public tenders of the different areas were held during August 1982, and the awarding was carried out in November 1982. The awarding of the different concession areas corresponded to three entities:

- ECA-ITV, SA: 5 areas.
- RVSA: 2 areas.
- ITEUVE, SA: 6 areas.

The concession contracts (20 years in duration, extendible by 3 in addition) ended on 23 July 2006.

In 1998, the AGBAR group (under the name of AGBAR ITV, S.A.) entered the vehicle technical inspection sector by purchasing 100 % of the company ITEUVE, S.A. and 51 % of the company ECA-ITV, S.A. Subsequently, in 2000, this business passed on to the company APPLUS, which became the network's dominant operator. In inspection lines, the distribution of market share is: APPLUS 80 % and RVSA 20 %.

In September 2003, by decision of the regional minister, the validity of the concessions was extended by an additional 8 years, until July 2014, by the Regional Minister's Resolution of 19 September 2003, extending ITV concessions for an additional 8 years. The Resolution of the Regional Minister of the Department of Labour and Industry of 31 August 2004 repealed the Regional Minister's Resolution of 19 September 2003, extending the previous concessions for an additional 8 years. This maintained the date of 23 July 2006 as the end date of the concessions. That repeal was the subject of contentious appeals by the three concessionaires.

The impending expiry of the concessions forced the approval of Law 10/2006, of 19 July 2006, on the provision of inspection services in the field of industrial safety, which enabled entities operating under a concession regime to continue undertaking the ITV service. This law established the obligation to draft a law regulating the provision of ITV services in Catalonia. This was achieved with the adoption by the Parliament of Catalonia of Law 12/2008 on industrial safety, which replaced the concept of the concession with a new legal regime of the administrative authorisation of external operators. This authorisation regime was subject to territorial planning and a number of restrictions and limitations, with the aim of ensuring sufficient coverage of the network of inspection centres and promoting competition.

Law 12/2008 was implemented by Decree 30/2010, of 2 March 2010, adopting the implementing regulation Law 12/2008, of 31 July 2008, on industrial safety, and Decree 45/2010, of 30 March 2010, approving the territorial plan for new vehicle technical inspection stations in Catalonia for the period 2010-2014.

The features of this model are:

- A maximum market share of 50 % is established,
- Minimum compatibility distances between the stations of operator itself (4 km in urban areas) are defined to avoid territorial monopolies arising.
- A continuity regime is regulated by operators coming from the previous concessions that must nevertheless conform to the requirements of the new model (maximum quota and minimum distances in particular).
- The extension of the stations network is carried out in accordance with a Territorial Plan (2010-2014).

In June 2010, the process of adapting the entity APPLUS to the new competition model led to CERTIO (a new company created from 49 % of ECA-ITV not controlled by APPLUS) being split from this dominant operator, with a total of 10 stations (22 % share). As a result, Resolution IEU/2862/2010, of 31 August 2010, making public the authorisations of the entities Applus Iteuve Technology, SL, Applus ECA-ITV and Revisiones de Vehículos, SA (Prevenccontrol) as owners of vehicle technical inspection stations in accordance with Decree 30/2010, of 8 March 2010, adopting the Regulation implementing Law 12/2008, of 31 July, on industrial safety.

Since the reversion of the ITV stations of the concessionaires had not taken place, Order IEU/468/2010, of 27 September 2010, regulating the economic compensation for the owners of

vehicle technical inspection stations to use the reverted assets and rights of the former administrative concessions was adopted.

Law 12/2008, in its Article 13.3, excludes the application of assets legislation in regulating the use through these assets and rights by the inspection operators (which entails that the concession operators could continue to operate the stations, once reversed, without the need for a process of public concurrence to be opened), and that it was called a 'continuity regime'.

The second additional provision of Decree 30/2010 regulates the regime of using reverted assets and rights, foreseeing that the lease, sale or others in force will be used. For the use of land and buildings, operators are expected to pay an economic compensation commensurate with the inspections performed. For the use of equipment, machinery or installations, a single amount equivalent to the book value on the reversion date is to be paid. And it is expected that, until the process of formalising the reversion has been completed, operators using land and buildings from the former concessions continue to pay the same compensation provided for in the authorisation regime (Law 10/2006) (i.e. the concession fee), minus the part paid by way of supervisory and control fee.

In May 2010, the extension tendering was launched in accordance with the Territorial Plan (Order IUE/279/2010, of 7 May 2010, which opened a call for tenders and approved the rules governing the public tender to achieve the authorisation of new vehicle technical inspection stations provided for in the territorial plan approved by Decree 45/2010 of 30 March).

The competition was decided on in October 2010, by Resolution IEU/3456/2010, of 22 October 2010, by which the decision of the public tender for achieving the authorisation of new vehicle technical inspection stations provided for in the territorial plan approved by Decree 45/2010, of 30 March 2010, was published. The result of this tender was that the two lots were won by:

- Lot 1 (Alta Ribagorça, Baix Penedès and Bages): ITEVELESA
- Lot 2 (Garrigues, Montsià and Vallès Oriental): ATISAE.

1.1.2 Legal conflict caused by the regulation resulting from terminating the concession regime and invalidating the current legal framework.

In May 2010, the extension tendering was launched in accordance with the Territorial Plan (Order IUE/279/2010, of 7 May 2010, which opened a call for tenders and approved the rules governing the public tender to achieve the authorisation of new vehicle technical inspection stations provided for in the territorial plan approved by Decree 45/2010 of 30 March).

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- Lot 1 (Alta Ribagorça, Baix Penedès and Bages): ITEVELESA
- Lot 2 (Garrigues, Montsià and Vallès Oriental): ATISAE.

In May 2011, the Superior Court of Justice of Catalonia upheld the appeal brought by CERTIO granting the precautionary suspension of the decision to award Lot 2 to ATISAE, thereby halting the construction of the three corresponding stations.

The entire regulatory deployment of Law 12/2008 and subsequent implementing acts were challenged, alleging infringement of the Services Directive. The reason for this is the

management model that provides for: an authorisation regime, but in a regulated market (with a maximum number of operators and a territory planning), access to authorisations through tendering, a continuity regime for former ITV operators, who met the requirements of the new model, and which allowed them to continue to use the assets of the old concessions. The position of the Generalitat was:

- With regard to the applicability of the Services Directive, the exclusion from the application of the Services Directive in the context of the ITV was defended, as it concerns the exercising duties related to the exercise of public authority.
- With regard to the continuity regime of the former operators, the defence was based on the fact that it was a provision contained in Law 12/2008, which the regulation only implements.

Within this group of contentious appeals are all those brought by OCA INSPECTION TECNICA DE VEHICULOS, SA, both the main one, which goes against the regulations, Decree 30/2010 and the Territorial Plan, as well as all other disputes that attack, for the same reasons, all of the implementing acts. They are also based on the Services Directive, the litigation of Natural Gas and that of FECAVEN, although in the latter case by the regulation of incompatibilities.

Another avenue of contentious conflict, independent of the Directive, was that caused by the challenge, by CERTIO ITV, SL, against the result of the ITV tendering for reasons of form (lack of motivation and use of sub-criteria not published in the call).

In May 2012, the Supreme Court of Justice upheld the appeal brought by CERTIO granting the precautionary suspension of the decision to award Lot 2 to ATISAE, thereby halting the construction of the three corresponding stations.

In March 2012, the Minister of Enterprise and Employment authorised ITEVELESA as owner of vehicle technical inspection stations, entering into service three new stations of the network (Resolution EMO/754/2012, of 17 April 2012, making public the authorisation of the entity Grupo Itevelesa, SL, as owner of vehicle technical inspection stations, in accordance with Decree 30/2010, of 2 March 2010, approving the Regulation implementing Law 12/2008, of 31 July 2008, on industrial safety).

In April 2012, the Supreme Court of Justice fully upheld the action brought by OCA, INSPECCION TÉCNICA DE VEHICULOS, S.A.

In January 2013, the Supreme Court ruled on the cassation appeal filed against the precautionary suspension of the enforcement of lot 2 of the tendering, given the previous judgment (of October 2012 of the Supreme Court of Justice), and consequently on 17 January 2013, the Minister of Enterprise and Employment authorised ATISAE as owner of vehicle technical inspection stations, service three new stations of the network entering into service. (Resolution EMO/1048/2013, of 6 May 2013, making public the authorisation of the entity Technical Industrial Assistance, SAE (ATISAE), as the owner of a vehicle technical inspection station in accordance with Decree 30/2010, of 2 March 2010, adopting the regulations implementing Law 12/2008, of 31 July 2008, on industrial safety).

In all disputes related to the ITV model, there has been a ruling of the Supreme Court of Justice, which has repealed the act in question.

In the dispute brought by OCA TECHNICAL VEHICLES INSPECTION against the regulation and the territorial plan, the Judgment of the Supreme Court of Justice of 25 April 2012 repeals many of the precepts of the regulation, and the territorial plan in its entirety, considering that the Services Directive is fully applicable. This judgment applies the doctrine contained in the CJEU Judgment on the ITV in Portugal, and two subsequent ones of the Supreme Court on the access

regime of supervisory bodies. In particular, the Supreme Court of Justice, in relation to the ITV, repeals:

- The requirement of authorisation, because the rule does not justify overriding reasons in the public interest.
- Limitations on the number of operators (territorial plan) and, therefore, the need for tendering.
- Financial solvency requirements, minimum number of staff, guarantee, personal inspector authorisation, maximum market share and minimum compatibility distances.
- Continuity regime for former concessionaires and use of reverted goods: by discriminatory privilege and in breach of heritage regulations.

In relation to that judgment, the Generalitat did not appeal on a point of law, although it was subsequently appealed on a point of law by the undertakings concerned (APPLUS, CERTIO, Itevelesa and ATISAE). One of the parties requested provisional enforcement of the judgment, although the Supreme Court of Justice dismissed this.

In the rest of the disputes, successive judgments have been issued, which reproduce the arguments of the first, and repeal the acts because they are an application of the precepts of Decrees 30/2010, and Decree 45/2010 repealed, and without entering into the possible specificities of each process. All of them have been covered in cassation by the former concessionaires. The Supreme Court (SC), in its cassation appeal against Decree 30/2010 and Decree 45/2010 of the territorial plan, issued an order in which it decided to refer the question to the Court of Justice of the European Union for a preliminary ruling on the compatibility of the legal regime of the ITV with European Union law (Services Directive and Treaty establishing the European Union).

On 15 October 2015, the CJEU passed judgment on the question referred by the SC for a preliminary ruling. The conclusions were:

- The Services Directive does not apply as the ITV is a transport-related service. (The freedom to provide services in Article 58 TFEU does not apply).
- ITV stations do not participate in exercising public authority.
- The freedom of establishment provided for in Article 49 TFEU applies
- ITV stations do not perform tasks of public authority, therefore the exception regulated by Article 51 TFEU in the freedom of establishment does not apply.
- The authorisation scheme is compatible with EU law, provided that the requirements imposed do not entail an obstacle or make exercising the right of establishment less attractive.
- Restrictions on freedom of establishment are only acceptable if they comply with:
 - They are applied in a non-discriminatory manner.
 - Reasons of general interest are justified.
 - They are suitable to guarantee the purpose pursued.
 - They do not go beyond what is necessary to achieve their goal.

On 29 March 2016, the SC delivered a judgment in the appeal lodged against the judgment of the Supreme Court of Justice of 25 April 2012. The conclusions were:

- The Services Directive does not apply, as it is a transport-related service.
- It establishes the applicability of Article 49 of the Founding Treaty on the European Union (relating to freedom of establishment).
- There is no ruling on the authorisation scheme.
- It does not analyse or pronounce on the requirements to be authorised, but repeals:
 - Maximum market share

- Minimum accounting distances.
- No ruling on Decree 45/2010 (Territorial Plan)
- With regard to the situation towards the continuity regime, it repeals Additional Provision 2 regulating the right to continue in the use of the goods that come from the concessions (as the property regulations are considered applicable), and another group maintains the possibility that former concessionaires can continue to be authorised without entering a tendering to be authorised.

On 30 October 2019, the SC gives judgment in the appeal lodged against the Judgment of the Supreme Court of Justice of 27 April 2017 in RCA 945/2013. The conclusions were:

- It validates the authorisations of the former concessionaires.
- It repeals instruction 19/2012.

Therefore, there was a situation in which the model defined by Law 12/2008, of 31 July 2008, as stalled, and the continuity of the provision of the ITV service in Catalonia was at risk, since, on the one hand, the operators authorised in accordance with the tendering, called by Order IEU/279/2010, had the authorisation repealed and could not continue to act, and, on the other hand, the former operators authorised under the new scheme could no longer use the goods and rights of the previous concessions for the performance of the inspection tasks.

As a result of this situation, the ninth Additional Provision of Law 2/2021 of 29 December 2021 on tax, financial, administrative and public sector measures enabled the current authorised operators of vehicle technical inspections on an exceptional and temporary basis to continue to provide the service for the entire period of time essential and necessary to complete the reversal procedure applicable to the old administrative concessions and, in addition, until the new system for the authorisation of ITV stations resulting from the approval by the Parliament of the law that will govern the vehicle technical inspection service in general.

This provision ensured the continuity of the provision of the vehicle technical inspection service, as long as a new legal framework was not defined with the new law.

Therefore, a new regulation is necessary to develop a new regulatory framework through a law that, in full, proposes a model for the provision of the ITV service in Catalonia, that provides legal certainty to operators that act or wish to act in this field of inspection, that establishes a coherent and seamless model and that conforms to the European regulatory framework.

By Government Agreement of 3 January 2023, the preliminary report of the draft bill regulating the legal regime applicable to the provision of the Vehicle Technical Inspection Service was approved. Subsequently, a prior public consultation was launched on the regulation concerning the provision of Vehicle Technical Inspection service in Catalonia, which commenced on 17 January 2023 and ended on 2 March 2023.

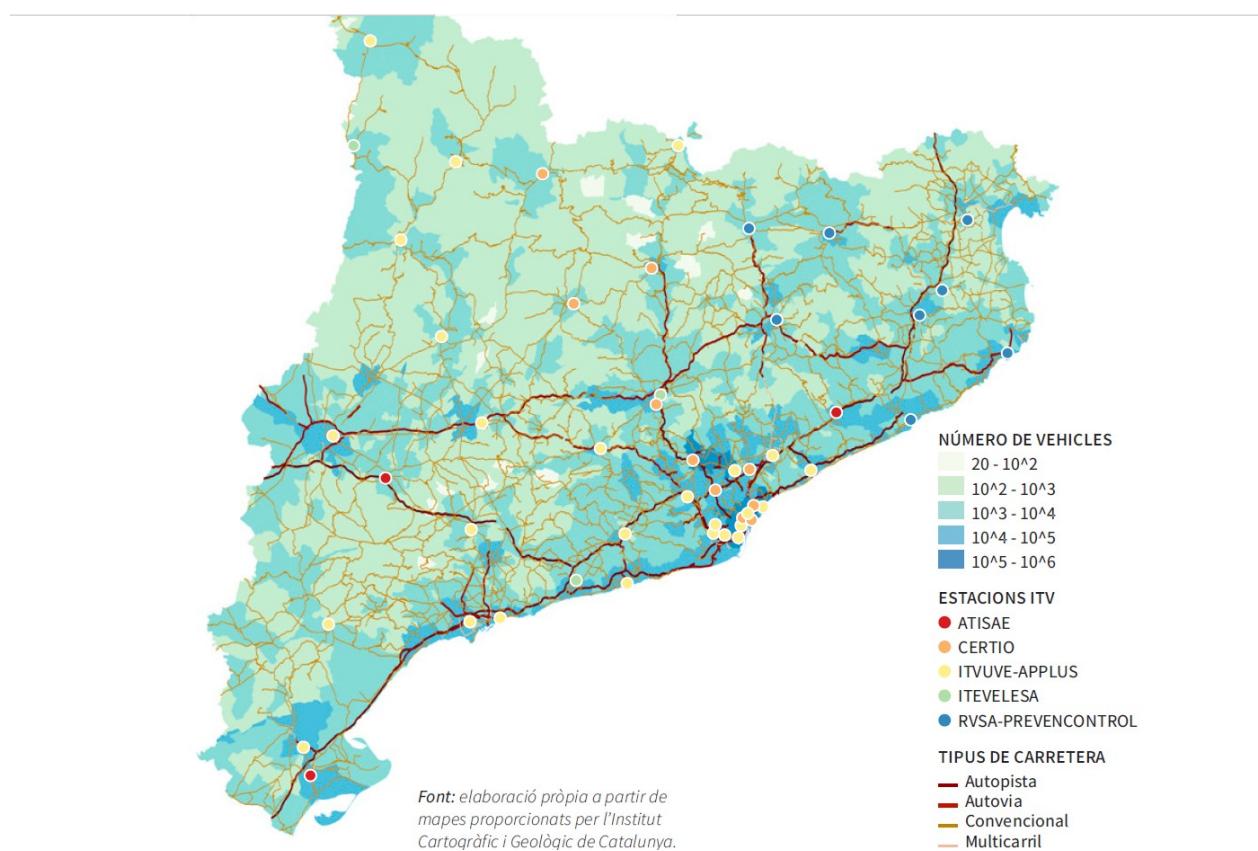
1.1.3 Difficulty for users to access the technical inspection service of the vehicle and delay in the resolution of the procedures resolved in the ITV stations.

Another source of persistent and chronic problems of the vehicle technical inspection system in Catalonia stems from the shortfalls and the level of demand pressure in which the network is located. This network of stations currently consists of 50 fixed establishments (with a total of 122 inspection lines), and 10 mobile stations. This infrastructure has remained unchanged over the last 10 years. In fact, an example of the historical evolution of this infrastructure was:

1984: 13 stations (35 lines)

1992: 27 stations (67 lines)
 2003: 44 stations (102 lines)
 2013: 50 stations (122 lines)

Distribution of ITV stations and concentration of vehicles in Catalonia:



Operator	Province	Region	SSTT	Estación	Líneas
APPLUS	B	Barcelonés	Barcelona	B-02 Badalona	4
APPLUS	B	Baix Llobregat	Barcelona	B-05 Sant Just Desvern	2
APPLUS	B	Baix Llobregat	Barcelona	B-07 Sant Joan Despí/Viladecans	2
APPLUS	B	Maresme	Barcelona	B-08 Argentona	3
APPLUS	B	Alt Penedès	Barcelona	B-09 Olèrdola	2
APPLUS	B	Barcelonés	Barcelona	B-10 Puigmadrona	2
APPLUS	B	Baix Llobregat	Barcelona	B-11 Cornellà	3
APPLUS	B	Anoia	Barcelona	B-12 Igualada	2
APPLUS	B	Barcelonés	Barcelona	B-14 Diputació	2
APPLUS	B	Barcelonés	Barcelona	B-15 Motors	4

APPLUS	B	Garraf	Barcelona	B-17 Vilanova i la Geltrú	2
APPLUS	B	Vallès Oriental	Barcelona	B-18 Granollers	3
APPLUS	B	Baix Llobregat	Barcelona	B-21 Sant Andreu de la Barca	2
APPLUS	B	Vallès Occidental	Barcelona	B-24 Sabadell	3
TUV SUD	B	Vallès Oriental	Barcelona	B-26 Sant Celoni	2
TR CERTIO	B	Vallès Occidental	Barcelona	B-03 Viladecavalls	4
TR CERTIO	B	Bages	Barcelona	B-06 Manresa	2
TR CERTIO	B	Berguedà	Barcelona	B-13 Berga	2
TR CERTIO	B	Barcelonès	Barcelona	B-16 Còrsega	3
TR CERTIO	B	Barcelonès	Barcelona	B-19 Àvila	3
TR CERTIO	B	CIM Vallès	Barcelona	B-20 CIM Vallès	2
TR CERTIO	B	Vallès Occidental	Barcelona	B-22 Sant Cugat	3
TR CERTIO	B	Barcelonès	Barcelona	B-23 Caracas	2
TR CERTIO	L	Solsonès	Barcelona	L-06 Solsona	1
ITEVELESA	B	Bages	Barcelona	B-25 Sant Fruitós	2
PREVENCONTROL	B	Osona	Barcelona	B-04 Vic	3
PREVENCONTROL	GI	Gironès	Girona	GI-02 Celrà	3
PREVENCONTROL	GI	Empordà	Girona	GI-03 Vilamalla	3
PREVENCONTROL	GI	Garrotxa	Girona	GI-04 Olot	2
PREVENCONTROL	GI	Baix Empordà	Girona	GI-06 Palamós	2
PREVENCONTROL	GI	Selva	Girona	GI-07 Blanes	3
PREVENCONTROL	GI	Ripollès	Girona	GI-08 Ripoll	1
PREVENCONTROL	GI	Gironès	Girona	GI-09 Girona	3
APPLUS	GI	Cerdanya	Lleida	GI-05 Puigcerdà	1
APPLUS	L	Segrià	Lleida	L-02 Lleida	4
APPLUS	L	Pallars Jussà	Lleida	L-03 Tremp	1
APPLUS	L	Segarra	Lleida	L-05 Granyanella	2
APPLUS	L	Noguera	Lleida	L-07 Artesa de Segre	1

APPLUS	L	Vall d'Aran	Lleida	L-08 Vielha	1
APPLUS	L	Pallars Sobirà	Lleida	L-09 Sort	1
TUV SUD	L	Garrigues	Lleida	L-11 les Borges Blanques	2
CERTIO	L	Alt Urgell	Lleida	L-04 Montferrer	1
ITEVELESA	L	Alta Ribagorça	Lleida	L-10 Pont de Suert	1
APPLUS	T	Baix Camp	Tarragona	T-02 Reus	4
APPLUS	T	Conca de Barberà	Tarragona	T-05 Montblanc	1
APPLUS	T	Tarragonès	Tarragona	T-06 Tarragona	3
ITEVELESA	T	Baix Penedès	Tarragona	T-07 Bellvei	2
APPLUS	T	Baix Ebre	Terres de l'Ebre	T-03 Tortosa	2
APPLUS	T	Ribera d'Ebre	Terres de l'Ebre	T-04 Móra la Nova	2
TUV SUD	T	Montsià	Terres de l'Ebre	T-08 Amposta	1

Moreover, the evolution of the volume of technical vehicle technical inspections of vehicles since 2014 has been as follows:

2014	2015	2016	2017	2018	2019	2020	2021
3.189.993	3.119.563	3.209.050	3.368.671	3.413.320	3.319.634	3.154.330	3.447.029

A sustained increase, which cumulatively reveals that between 2014 and 2021, there was an increase of more than 8 % (8.05 %). This increase has not only been in absolute volume of inspections, but the technological evolution of both vehicles and inspection systems means that inspection procedures are constantly being revised. This evolution is expressed in the continuous and constant amendment of the Technical Vehicle Inspection Procedure Manual (with 27 versions since 2002), which means that there are more and more inspection points in the operation, such as the incorporation of polluting emission control systems, the on-board diagnostic systems of the vehicle, soon the automatic emergency call systems incorporated in new vehicles, etc., which, added to the traditional inspection elements, such as steering systems, braking, suspension, signalling, etc., increase the time required for inspection.

This is being translated into a constant and continuous complaints by private users (with dozens of complaints annually submitted to the competent industrial safety bodies of the Generalitat of Catalonia, and the **Catalan Parliamentary Ombudsman**), as well as the representative associations of different sectors concerned (carriers, taxi drivers, farmers, among others), according to their difficulty in finding an inspection appointment, in a very special way in the most densely populated areas or with the greatest economic activity.

This situation gives rise to different issues:

- For private users, inconvenience added to the danger posed to road safety by travelling with vehicles the technical inspection of which has expired.
- For the production sector, waste of resources, business inefficiencies, aside from those already mentioned by private users.
- For the system of vehicle technical inspection in Catalonia itself, the increase in complaints, objections and a decline in the image of this service, which in addition to not

being often perceived as useful and necessary by its users, adds a lack of agility in its provision.

This system's state of stagnation makes it essential a solution that derails the situation.

1.1.4 High non-compliance with the obligation to pass the ITV, and citizens' perception that the inspection is of little personal and social use.

The vehicle technical inspection service, in general, is not valued in a particularly positive way by the public, despite it seeking to ensure road safety and the improvement of the environmental effects of the vehicle fleet. There are several motivating factors:

- Lack of information to citizens concerning:
 - The specific objectives pursued by the inspection.
 - The aspects being revised.
 - The impact of vehicle technical inspections on road safety.
 - The effect of its non-existence on road safety and environmental effects.
- The efforts that in general, and very particularly by certain groups, the time and commitment that need to be invested in order to meet this objection, and that they need put above their own commitments to productive activities. This is linked to the issues set out in point 1.1.4, which means that the time and dedication both to manage prior appointments (currently quite complicated in certain geographical areas) and the time spent on the vehicle inspection are perceived more as an administrative obligation and even a source of public funds rather than as a service to ensure the safety of vehicle users and road safety in general.
- The application of different technical criteria between network stations. This situation can have several causes:
 - Due to the complexity of the aspects to be inspected that may not have defined unambiguous criteria, causing the inspection staff in each case to apply their own criteria based on their knowledge, experience and circumstances of the case.
 - For the operational interests of the inspection entity, tending to avoid the loss of clients.

This situation generates confusion in users and mistrust in the technical rigour of the inspection.

- The 'visual' transfer to the users of the service that the inspection is carried out by a private body, without it being perceived and visualised in the stations that the responsibility of the service as a whole rests with the Administration, and that this responsibility is the guarantee of the technical rigour in carrying out the inspections.

This translates into:

- Increasingly common complaints to the competent authorities in the field of the Generalitat of Catalonia, the Catalan Parliamentary Ombudsman, or directly to the Director responsible for the operation of the service. Some of these complaints are in fact based on objective deficiencies in the system. Others are the result of expectations about the service, resulting from the lack of information on the objectives and aspects of the inspection.
- A certain non-compliance with the fulfilment of the obligation to pass inspections by certain groups. (The employers' association of vehicle technical inspection companies estimates this non-compliance at 20 % of the vehicle fleet, and according to data from the Catalan Police Force [Mossos d'Esquadra], the average number of vehicles they detect driving on Catalan

roads without a valid ITV is 3 000 per month, without carrying out targeted campaigns to pursue this non-compliance).

- Aggressive, violent and inconsiderate attitudes towards the inspector and administrative staff at ITV stations.

1.2 Objectives to be achieved.

As a result of the situation arisen, and explained in detail in the previous section, this draft law pursues the following objectives:

	<i>General Objectives</i>	<i>Specific objectives</i>
1	Create a strong legal framework that resolves the current legal precariousness with judgments affecting the provisions currently in force. 'Ensure legal certainty in the application of the ITV rules'.	Replace the current regulation of the legal regime for vehicle technical inspection in Catalonia. This legal architecture is intended to be replaced by a new regime that provides guarantees and legal stability to the sector.
2	Improving the provision of the service of the network of stations, ensuring minimum conditions for the provision of the service, taking into account the particularities of the different types of users of the services and ensuring the provision of the service in territories with a small population. - 'Ensuring the quality of the inspection – that the service is provided sufficiently throughout the territory – free choice by operator – environmental sustainability measures'	Defining minimum conditions for the provision of the activity, adapted to the different types of service users, and establish objective conditions to ensure service coverage in economically unattractive areas, linked to the opening of centres in more economically attractive areas.
3	Creating a legal coverage that allows an agile and flexible adaptation of the legal framework to future developments in the vehicle technical inspections.	Designing a legal system and regulatory modifications that allow a rapid review, adaptation and implementation of the modifications of the variables that affect the provision of the service.
4	Reducing non-compliance with fulfilling the obligation to pass the ITV.	Increasing the information to and knowledge among citizens of the objectives of the ITV, and reduce user complaints on the difficulty of accessing the service and its quality.

1.3 Identification of regulatory options

The identification and subsequent analysis of the regulatory options is carried out in two phases:

- In the first place, the different possibilities of action in the face of the existing situation are analysed, from the perspective of the intervention of the Administration in the vehicle technical inspection market.
- Second, the different regulatory instruments available are analysed, in case of opting for some type of intervention or action.

Prior to this analysis, the competence limitations of the Generalitat of Catalonia in this field are described. This makes it possible to understand the reason for the decisions made, as well as the options disregarded.

As regards the different possibilities of action in the face of the existing situation, from the perspective of the intervention of the Administration in the vehicle technical inspection market, the following possibilities are identified:

- Not doing anything (maintenance of current status).
- Repealing existing legislation (market for free access to activity).
- Administrative determination of specific conditions for the provision and location of inspection centres (market of restricted access to activity with territorial planning).
- Administrative determination of specific conditions of provision and conditions, to ensure sufficient territorial coverage (market of free access to activity with territorial weighting).

As regards the different regulatory instruments available, the following possibilities are identified:

- Decree.
- Decree-Law.
- Law.

1.3.1 Powers of the Generalitat of Catalonia in the field of vehicle technical inspections.

Based on the provisions of Article 149.1(21), of the Spanish Constitution, the State has exclusive competence over the traffic and circulation of motor vehicles.

Based on this, the basic regulations on vehicle technical inspection are currently constituted by Royal Decree 920/2017, of 23 October 2017, regulating vehicle technical inspection.

In accordance with Article 14, Requirements for ITV stations, the material implementation of technical inspections must be carried out at ITV stations, in accordance with the management model established by the Autonomous Community in exercising its powers, and may be carried out directly, through mixed economy companies, or by private companies (either under concession or authorisation).

The same Article (14) provides for the different requirements to be met by ITV stations, which are:

- Those provided for in Annex IV to that Royal Decree, and which refer to:
 - General requirements.
 - Quality requirements of the inspection service.
 - Requirements for vehicle technical inspections.
 - Requirements concerning users of the service.
 - Requirements regarding the documentation generated at the ITV station.
- The accreditation of ITV stations in accordance with UNE-EN ISO/IEC 17020 as a third party inspection body in the vehicle technical inspection, carried out by the Spanish National Accreditation Body (ENAC).

- Complying with the regime of incompatibilities that may be established by the Autonomous Communities themselves, and in any event the entities that own the ITV stations may not be part of the legal entities or have links with separate legal entities, the activity of which is:
 - Road haulage.
 - Trading motor vehicles.

According to Article 21, Authorising ITV stations, ITV stations must be authorised by the competent body of the Autonomous Community where they are located, prior to the start of their activity, in accordance with the management model of the competent body. In this regard, Directive 2014/45/EU of the Parliament and of the Council, of 3 April 2014, on periodic vehicle technical inspections of motor vehicles and their trailers, in Article 12 Inspection Centres, provides that inspection centres where inspectors carry out vehicle technical inspections are to be authorised by a Member State or its competent authority.

In short, the Generalitat of Catalonia has the competence to define the management model of the ITV service respecting the requirements laid down in Article 14, of Royal Decree 920/2017, and that access to the activity of inspection centres will be necessary to follow the administrative authorisation procedure, unless the activity is provided directly by the Generalitat itself.

1.3.2 Regulatory options according to the intervention of the Administration in the vehicle technical inspection market.

Four possible options for action are identified in response to the problems raised:

1. Not doing anything. This option entails continuity with the current situation, and is characterised by legislation challenged by different court rulings, as well as a service under strain in certain areas due to the lack of sufficient supply compared to the demand for inspection. This option therefore entails maintaining the current status.
2. Repealing existing legislation. This option entails repealing existing legislation so that, in the alternative, the basic rules of the State and the European Union would apply directly. According to these, the service management model is not explicitly regulated, and consequently it would leave open the possibility of free access to the activity by any operator who complied with the requirements and incompatibilities provided for in Royal Decree 920/2017, and with prior authorisation from the competent body of the Generalitat of Catalonia, based on the aforementioned conditions. It would also entail eliminating the establishment of a maximum fee for the provision of the service. This would ultimately lead to a market situation with free access to the activity.
3. Administrative determination of specific conditions for the provision and location of inspection centres. This option, on the one hand, establishes the conditions applicable to the operators of the inspection of the ITV that provide the service to the specific characteristics and the short-term needs presented by the activity in Catalonia and, on the other hand, it responds to the approach of the variable of the establishment of the ITV stations after determination by the Administration, based on the analysis of the demand for the service. This option is foreseen with the establishment of maximum rates to be applied for the same service at all stations in the territory, and the obligation that the rate to be applied by the operator for the same service be the same at any of its stations in the territory. This entails a management regime based on a market with restricted access to activity with territorial planning.
4. Administrative determination of specific provision conditions and conditions to ensure

sufficient territorial coverage. This option, like the previous one, foresees establishing the conditions applicable to the operators of the ITV inspection that provide the service to the specific characteristics and the short-term needs presented by the activity in Catalonia, but focuses on the variable of the establishment of the ITV stations defining the conditions that must be met so that operators automatically provide the service throughout the territory. This option is foreseen with the establishment of maximum rates to be applied for the same service at all stations in the territory, but without the obligation that the rate to be applied by the operator must be the same at any of its stations in the territory. This entails a management regime based on a market with free access to the activity with territorial weighting.

1.3.3 Regulatory options according to available regulatory instruments.

Based on the available regulatory instruments, if any of the options that provide for regulatory development (options 2, 3 and 4 under the previous heading) are opted for, the possibilities are:

- Decree. This instrument requires the approval of the Government, after processing the corresponding draft decree in accordance with the provisions of Title IV of Law 26/2010, of 3 August 2010, on the legal and procedural regime of the public administrations of Catalonia.
- Decree-Law. This instrument requires approval and enactment by the Government, and requires subsequent validation by the Plenary (or Permanent Deputation) of the Parliament of Catalonia within a maximum period of 30 days from the date of promulgation, after processing the corresponding draft Decree-Law, in accordance with the provisions of Law 13/2008 of the Presidency of the Generalitat and the Government.
- Law. This instrument requires the presentation of a draft bill in the Parliament of Catalonia (in this case by the Government in charge of the Councillor responsible for the matter) in order that it be debated in parliamentary headquarters by the different parliamentary groups, taking a position on its appropriateness, on the principles and criteria that inform the proposal and on the amendments that may be submitted. After the entire legislative debate procedure, the proposal is voted in plenary for approval or rejection, all in accordance with the provisions of Law 13/2008 of the Presidency of the Generalitat and the Government.

2. Analysis of the impacts of the options considered.

2.1 Report on budgetary impact

The analysis of the budgetary impact aims to identify the impact on monetary resources that might influence, in terms of revenue and expenditure in the budget of the Generalitat of Catalonia, the different alternatives to face the problem that is trying to solve with public intervention in this matter.

Given that one of the reasons for the processing of this draft bill is the legal situation in which the current management model of the ITV in Catalonia is located, some of the options may have a different impact on the budget if there is a filing of property claims (and the eventual admission of them). The current authorisations have limited validity as follows:

- Resolution IUE/2862/2010, of 31 August 2010, concerns the operators APPLUS, TUV-RHEINLAND and PREVENCÓN. These authorisations have a duration of 25 years, and therefore end in the year 2035.
- Resolution IEU/754/2012, of 17 April 2012, concerns the operator ITEVELESA. This authorisation has a duration of 30 years, and therefore ends in the year 2042.
- Resolution IUE/1048/2013, of 6 May 2013, concerns the operator TUV-SÜD. This authorisation has a duration of 30 years, and therefore ends in the year 2043.

Consequently, a possible change in the conditions of the existing authorisations could lead to property claims being lodged with the Generalitat for the breach of the conditions of access and the rights to exercise the activity derived from those authorisations. Taking this into account, the two possible situations by operators (submission of property claims and non-filing) are considered in the subsequent analysis.

On the other hand, a time horizon of 10 years due to the stabilisation of the models is considered in this analysis of the budgetary impact.

2.1.1 Regulatory alternative: Not doing anything.

This option entails maintaining the current management model status. As mentioned above, the current model is in a legally unstable situation, and is therefore likely to be challenged. Therefore, there may be different situations:

- a. That the current situation is not contested.
- b. To challenge the failure to comply with court rulings by the Generalitat of Catalonia, with a financial penalty.

Case where the current situation is not contested.

In order for the present situation to be challenged, the application for enforcement of the judgment of the SC must first exist. As long as this situation does not occur, the current status quo would be maintained, and this does not involve any additional impact on the Generalitat's revenue or expenditure budgets.

In the event that the current situation is challenged with a financial penalty in the Generalitat of Catalonia.

In the event of the request to comply with the judgment of the SC, this situation could lead to an a financial penalty for the non-compliance that would affect the expenditure budget of the Generalitat of Catalonia.

2.1.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity)

This option entails, de facto, the subsidiary application of the basic State legislation on the matter. This means leaving open the possibility of free access to the activity in compliance with the requirements and incompatibilities provided for in Royal Decree 920/2017, and with the prior authorisation of the competent body of the Generalitat of Catalonia, giving rise to a situation of free access to the activity. This can be interpreted by the current operators as a modification of the conditions of the authorisation. This amendment could be based on which currently the distribution of ITV stations is the result of territorial planning, which generates a zoning of the service offer, which conditions the choice of users by geographical proximity.

Consequently, this freedom of access to the activity could lead to a breakdown of this geographical planning, and the effects of increased competition on supply, which could result in the property claims being filed. The situations that might occur are:

- a. Failure to file property claims.
- b. Presentation of property claims and admission thereof.
- c. Presentation of property claims and non-admission thereof.

Cases (a) and (c) will have the same budgetary effects.

In the event no property claims are filed, or if they are presented they are not admitted.

In this case, the budgetary effects that may appear are:

- Revenue budget. There would be no change, given that the current income in the Generalitat from the activity derives from:
 - The fees that affect the activity, and in this sense there would be no variation, but rather the division of the activity among the new operators.
 - Fees affecting the authorisation of new operators, but as State regulations refer to the authorisation of inspection centres, the definition of the current fees is not in line with this model and would therefore not be applicable.
- Expenditure budget. The increase in applications for authorisation and the increase of existing operators in the market entails an increase in the administrative work of managing authorisations and subsequently of supervision and control of the new inspection centres. A scenario such as this, which does not represent important barriers to access to the activity, would allow a significant increase in operators and inspection centres, especially in the most densely populated regions of Catalonia, being able to present a situation in a 10-year horizon in which approximately 20 more operators appeared with around 40 new stations. This situation would require an increase in human resources of at least six staff (two administrative staff and four technical staff).

In the event property claims are filed and accepted.

With regard to the previous situation, it would entail adding to the expenditure budget foreseen above, the amount to be determined as loss of profits on the part of the existing operators.

2.1.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

This option involves maintaining the existing network of stations and, where appropriate, proceeding to determine the need to expand the network of stations and their locations, complying with the requirements and incompatibilities provided for in Royal Decree 920/2017, as well as the requirements and incompatibilities determined by Catalan regulations, and with prior authorisation of the competent body of the Generalitat of Catalonia.

This eventuality is already foreseen in the current legislation, although the criteria on the basis of which it is considered necessary to extend the network and where it should be carried out are not determined. Therefore, determining these criteria at the present time could be perceived as an alteration of the conditions of the existing authorisations, since the distribution of the ITV stations is the result of territorial planning, which generates a zoning of the service offer, which conditions the choice of users by their geographical proximity. Therefore, an extension of the stations network involving an increase in operators or the location of new stations close to existing stations with different operators may be considered as a modification of the conditions of the authorisation. (An increase of 15 seasons is estimated over a 10-year horizon).

Consequently, determining criteria for the territorial planning of the network, and the possible extension of it, could result in the alteration of the current market balance with the effects of increased competition on supply, which could result in property claims being filed. The situations that might occur are:

- a. Failure to file property claims.
- b. Presentation of property claims and admission thereof.
- c. Presentation of property claims and non-admission thereof.

Cases (a) and (c) will have the same budgetary effects.

In the event no property claims are filed, or if they are presented they are not admitted.

In this case, the budgetary effects that may appear are:

- *Revenue budget.*
 - Revenue from fees affecting the activity would not be affected, as there would be no further change from the current situation, but rather a division of activity among the new entrants.
 - Revenue from the authorisation of new inspection centres would be increased, to the extent that the network of ITV stations was increased.
- *Expenditure budget.* The expenditure budget would be affected by the need to determine the territorial planning criteria, and determining the size of the network, if necessary. This is a non-trivial analysis, requiring objective and impartial study by experts outside the Administration (and obviously the inspection operators). This situation would require an increase in human resources of at least three staff (one administrative staff and two technical staff).

In the event property claims are filed and accepted.

With regard to the previous situation, it would entail adding to the expenditure budget foreseen above, the amount to be determined as loss of profits on the part of the existing operators.

2.1.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

This option entails the possibility of free access to the provision of the activity, complying with the requirements and incompatibilities provided for in Royal Decree 920/2017, as well as the requirements and incompatibilities determined by Catalan regulations, and with prior authorisation from the competent body of the Generalitat of Catalonia. In this case, among the requirements included in the Catalan regulations, conditions of territorial weighting are added that tie introducing the supply of inspections in areas with a high vehicle fleet, with the obligation to generate the supply of inspections in areas with a low vehicle fleet.

As a result, this freedom to access the activity could lead to a breakdown of the current geographical planning, and the effects of increased competition on the offer could result in property claims being filed. The situations that might occur are:

- a. Failure to file property claims.
- b. Presentation of property claims and admission thereof.
- c. Presentation of property claims and non-admission thereof.

Cases (a) and (c) will have the same budgetary effects.

In the event no property claims are filed, or if they are presented they are not admitted.

In this case, the budgetary effects that may appear are:

- *Revenue budget.*
 - Revenue from fees affecting the activity would not be affected, as there would be no further change from the current situation, but rather a division of activity among the new entrants.
 - Revenue from the authorisation of new inspection centres would be increased, to the extent that the network of ITV stations was increased.
- *Expenditure budget.* The increase in applications for authorisation and the increase of existing operators in the market entails an increase in the administrative work of managing authorisations and subsequently of supervision and control of the new inspection centres. Such a scenario, which counterbalances the opening of new centres simultaneously in economically attractive and less attractive areas, allows for an increase in operators and inspection centres adjusted to the real demand for the service by users. In these circumstances, an initial situation of a degree of instability can be foreseen with the emergence of new operators and centres in the territory. In any event, this model entails a natural adaptation to the evolution of demand, and consequently in the medium and long term a more stable situation of closure and opening of new stations with a final network with six more operators and 15 more stations than the current ones. This situation would require an increase in human resources of at least six staff (two administrative staff and four technical staff).

In the event property claims are filed and accepted.

With regard to the previous situation, it would entail adding to the expenditure budget foreseen above, the amount to be determined as loss of profits on the part of the existing operators.

2.1.5 Comparative summary of the budgetary impact of the different alternatives.

Alternatives.

- A.1: Not doing anything
- A.2: Repealing existing legislation. (Free access to the activity)
- A.3: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)
- A.4: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting)

		Revenue budget	Expenditure budget
A.1	No challenge	No effects	No effects
	Challenge with financial penalty	No effects	Financial penalty (and development of one of the other alternatives)
A.2	No property claim	No effects	Increase in personal resources (2 per. Administrative + 4 per. Technician)
	Property claim	No effects	Increase in personal resources (2 per. Administrative + 4 per. Technician) Prop. claim (loss of profit)
A.3	No property claim	Filing fees Authorisation 15 files (*)	Increase in personal resources (1 per. Administrative + 2 per. Technician) Adm. contract for determining territorial planning criteria
	Property claim	Filing fees Authorisation 15 files (*)	Increase in personal resources (1 per. Administrative + 2 per. Technician) Adm. contract for determining territorial planning criteria Prop. claim (loss of profit)
A.4	No property claim	Filing fees Authorisation 37 files (**)	Increase in personal resources (2 per. Administrative + 4 per. Technician)
	Property claim	Filing fees Authorisation 37 files (**)	Increase in personal resources (2 per. Administrative + 4 per. Technician) Prop. claim (loss of profit)

(*) 15 files new alternative authorisations A.3 horizon 10 years: 10 new authorisation files are estimated for the first 2 years, none between the 3rd and 5th year, and 5 between the 6th and 10th year.

(**) 37 files new alternative authorisations A.4 horizon 10 years: 20 files of new authorisations are estimated for the first 2 years, 12 between the 3rd and 5th year and 5 between the 6th and the 10th year

The economic values of the various budgetary impacts are:

- Application fees for authorisation. (EUR 3 800/file)
- Financial penalty challenging the non-application of court judgments (EUR 3 000 000)
- Administrative staff resources (EUR 19 000/person year) (10 years)
- Technical staff resources (EUR 25 000/person year) (10 years)
- Property claim (Free access to the activity). EUR 10 000 000
- Property claim (Restricted access to activity with territorial planning). (EUR 500 000)
- Property claim (Free access to activity with territorial weighting). (EUR 2 500 000)
- Administrative contract by determination of territorial planning criteria (EUR 100 000)

		Revenue budget	Budget: Expenses
A.1	No challenge	EUR 0.00	EUR 0.00
	Challenge with financial penalty	EUR 0.00	EUR 3 000 000.00
A.2	No property claim	EUR 0.00	EUR 1 380 000.00
	Property claim	EUR 0.00	EUR 11 380 000.00
A.3	No property claim	EUR 57 000.00	EUR 7 90 000.00

	Property claim	EUR 57 000.00	EUR 1 290 000.00
A.4	No property claim	EUR 140 600.00	EUR 1 380 000.00
	Property claim	EUR 140 600.00	EUR 3 880 000.00

2.2 Regulatory impact report as regards simplification and reduction of administrative burdens

Any amendment to the legal regime of the ITV service has a non-homogeneous impact over time in terms of administrative burdens. For some of the alternatives, it is in the early stages that administrative burdens have a greater impact and relevance. In this sense, in a time horizon of 10 years, the situation is expected to stabilise.

A.1. Regulatory alternative: Not doing anything

This alternative, from the point of view of administrative burdens, does not generate new ones. Consequently, it has a zero deployment cost, as it would keep the station network unchanged from the current situation.

A.2. Regulatory alternative: Repealing existing legislation. (Free access to the activity).

This alternative, from the point of view of administrative burden, the additional administrative burden is the need for the new stations to be created, and the stations to be closed will require the processing of the corresponding administrative authorisation files, which will be of low complexity. In a free market, the pace of opening and closing stations, especially at the start of the implementation of the model, will be high, with the corresponding administrative costs involved.

In addition, this option will require processing the corresponding repeal of the existing law regulating the current system of provision of the service by means of another provision on a legislative basis.

In the short-term (in the first 2 years):

- Managing repeal of the current law (Public Administration cost: low)
- Managing authorisation files for the opening of ITV stations (volume: high (20 files/year); business administrative burden: average; Public Administration cost: low)
- Managing authorisation files for closure of ITV stations (volume: high (12 files/year); business administrative burden: high; Public Administration cost: high)

		burden	files	days	persons	
Managing repeal of the current law						
	Cost management PA	low	1	25		EUR 6 415.00
Managing ITV station opening auth files						
	Business adm burden	average	40	30	3	EUR 450 000.00
	Cost management PA	low	40	4		EUR 41 056.00
Managing ITV station closure authorisation files						

	Business adm burden	high	24	50	3	EUR 450 000.00
	Cost management PA	high	24	20		EUR 1 23 168.00
						EUR 1 070 639.00

Between the 3rd and 5th year:

- Managing authorisation files for the opening of ITV stations (volume: medium (7 files/year); business administrative burden: average; Public Administration cost: low)
- Managing authorisation files for closure of ITV stations (volume: low (4 files/year); business administrative burden: high; Public Administration cost: high)

		burden	files	days	Persons	
Managing ITV station opening auth files						
	Business adm burden	average	21	30	3	EUR 2 36 250.00
	Cost management PA	low	21	4		EUR 21 554.40
Managing ITV station closure authorisation files						
	Business adm burden	high	12	50	3	EUR 2 25 000.00
	Cost management PA	high	12	20		EUR 61 584.00
						EUR 44 388.40

Between the 6th and 10th year:

- Managing authorisation files for the opening of ITV stations (volume: low (4 files/year); business administrative burden: average; Public Administration cost: low)
- Managing authorisation files for closure of ITV stations (volume: high (1 files/year); business administrative burden: high; Public Administration cost: high)

		burden	files	days	Persons	
Managing ITV station opening auth files						
	Business adm burden	average	20	30	3	EUR 2 25 000.00
	Cost management PA	low	20	4		EUR 20 528.00
Managing ITV station closure authorisation files						
	Business adm burden	high	5	50	3	EUR 93 750.00
	Cost management PA	high	5	20		EUR 25 660.00
						EUR 3 64 938.00

A.3. Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)

This regulatory alternative entails a much lower pace of opening and closing stations than the previous one, but the management of network extension tendering will entail a very considerable

administrative burden, as well as the management of authorisations for new stations, of an average complexity.

This option will require processing a provision with legal force to define this new regulatory alternative, different from the current one, and repeal the current model.

In the short-term (in the first 2 years):

- Managing repeal of the current law and processing of new legislation (Public Administration cost: high)
- Managing contract processing by the study of extension of the network (business administrative burden: average; Public Administration cost: medium)
- Managing the processing of tenders for the award of new stations (business administrative burden: average; Public Administration cost: high)
- Managing authorisation files for the opening of ITV stations (volume: medium (5 files/year); business administrative burden: average; Public Administration cost: low)

		burden	files	days	persons	
Managing repeal of the current law and processing of new law						
	Cost management PA	high	1	375		EUR 96 225.00
Managing contract for network extension study						
	Cost management PA	average	1	60		EUR 15 396.00
	Business adm burden	average	1	125	3	EUR 46 875.00
Managing ITV station opening auth files						
	Cost management PA	high	1	250		EUR 64 150.00
	Business adm burden	high	1	400	3	EUR 1 50 000.00
Managing ITV station closure authorisation files						
	Business adm burden	average	10	30	3	EUR 1 12 500.00
	Cost management PA	low	10	4		EUR 10 264.00
						EUR 4 95 410.00

Between the 3rd and 5th year:

- No administrative burdens are foreseen

Between the 6th and 10th year:

- Managing contract processing for the study of extension of the network (cost public administration: medium) – (at 5 years it is necessary to define the new needs)
- Managing the processing of tenders for the award of new stations (business administrative burden: high; Public Administration cost: high)
- Managing authorisation files for the opening of ITV stations (volume: low (1 files/year); business administrative burden: average; Public Administration cost: low)

		carga	expedientes	días	personas	
Gestión contrato estudio ampliación red						
Coste gestión AP	media	1	60			15.396,00 €
Carga adm empresarial	media	1	125	3		46.875,00 €
Gestión concurso adjudicación nuevas estaciones						
Coste gestión AP	alta	1	250			64.150,00 €
Carga adm empresarial	alta	1	400	3		150.000,00 €
Gest exp aut apertura estación ITV						
Carga adm empresarial	media	5	30	3		56.250,00 €
Coste gestión AP	baja	5	4			5.132,00 €
						337.803,00 €

A.4. Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

This regulatory alternative represents a significantly higher pace of opening and closing than the previous alternative, although substantially lower than that of the free access to activity model. In this case, it will also be necessary to foresee managing authorisations that will be of high complexity as administrative burdens.

This option will require processing a provision with legal force to define this new regulatory alternative, different from the current one, and repeal the current model.

In the short-term (in the first 2 years):

- Managing repeal of the current law and processing of new legislation (Public Administration cost: high)
- Managing authorisation files for the opening of ITV stations (volume: medium (10 files/year); business administrative burden: average; Public Administration cost: low)
- Managing authorisation files for closure of ITV stations (volume: low (0.5 files/year); business administrative burden: high; Public Administration cost: high)

		carga	expedientes	días	personas	
Gestión derogación ley vigente y tramitación						
Coste gestión AP	alta	1	375			96.225,00 €
Gest exp aut apertura estación ITV						
Carga adm empresarial	media	20	30	3		225.000,00 €
Coste gestión AP	baja	20	4			20.528,00 €
Gest exp aut cierre estación ITV						
Carga adm empresarial	alta	1	50	3		18.750,00 €
Coste gestión AP	alta	1	20			5.132,00 €
						341.753,00 €

Between the 3rd and 5th year:

- Managing authorisation files for the opening of ITV stations (volume: low (4 files/year); business administrative burden: average; Public Administration cost: low)

- Managing authorisation files for closure of ITV stations (volume: low (0.33 files/year); business administrative burden: high; Public Administration cost: high)

		carga	expedientes	días	personas	
Gest exp aut apertura estación ITV						
	Carga adm empresarial	media	12	30	3	135.000,00 €
	Coste gestión AP	baja	13	4		3.079,20 €
Gest exp aut cierre estación ITV						
	Carga adm empresarial	alta	1	50	3	18.750,00 €
	Coste gestión AP	alta	1	20		5.132,00 €
						161.961,20 €

Between the 6th and 10th year:

- Managing authorisation files for the opening of ITV stations (volume: low (1 files/year); business administrative burden: average; Public Administration cost: low)
- Managing authorisation files for closure of ITV stations (volume: high (0.2 files/year); business administrative burden: high; Public Administration cost: high)

		carga	expedientes	días	personas	
Gest exp aut apertura estación ITV						
	Carga adm empresarial	media	5	30	3	56.250,00 €
	Coste gestión AP	baja	5	4		5.132,00 €
Gest exp aut cierre estación ITV						
	Carga adm empresarial	alta	1	50	3	18.750,00 €
	Coste gestión AP	alta	1	20		5.132,00 €
						85.264,00 €

2.2.1 Comparative summary of regulatory impact.

Alternatives.

- A.1: Not doing anything
- A.2: Repealing existing legislation. (Free access to the activity)
- A.3: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)
- A.4: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting)

	Business adm burdens	Costs of administrative burden
A.1	None	EUR 0.00
A.2	<ul style="list-style-type: none"> - Managing repeal of the current law (Public Administration cost: low) - Managing authorisation files for the opening of ITV stations (business administrative burden: average; Public Administration cost: low) - Managing authorisation files for closure of ITV stations (business administrative burden: high; Public Administration cost: high) 	EUR 1 979 965.4

A.3	<ul style="list-style-type: none"> - Managing repeal of the current law and processing of new legislation (Public Administration cost: high) - Managing contract processing by the study of extension of the network (business administrative burden: average; public Administration Cost: medium) - Managing the processing of tenders for the award of new stations (business administrative burden: average; Public Administration cost: high) - Managing authorisation files for the opening of ITV stations (business administrative burden: average; Public Administration cost: low) 	EUR 8 33 213.00
A.4	<ul style="list-style-type: none"> - Managing repeal of the current law and processing of new legislation (Public Administration cost: high) - Managing authorisation files for the opening of ITV stations (business administrative burden: average; Public Administration cost: low) - Managing authorisation files for closure of ITV stations (business administrative burden: high; Public Administration cost: high) 	EUR 5 88 978.20

2.3 Report on gender impact

The ITV service is aimed at the entire population owning vehicles subject to technical inspection. This population is very large and heterogeneous, depending on the type of vehicle. The user population of the ITV service of vehicles for private use is very diversified and, consequently, the users of the service are very heterogeneous. The user population of the vehicle service of the professional sectors (passenger transport, freight transport, agricultural and service vehicles, etc.) is mostly male.

As for the staff involved in the provision of the ITV service, it is mainly male, especially as regards the staff directly involved with the online technical inspection. With regard to staff engaged in administrative management, the distribution of staff by gender is more equal between women and men.

The alternative approach does not have any significant gender impact.

2.4 Economic, social and environmental impact report.

The analysis of the economic and social impact tries to identify and analyse the costs and benefits for society as a whole of the different alternatives of public action that can be implemented to solve the existing problems.

2.4.1 Identification of problems to be solved.

The public intervention in regulating the system of provision of the ITV service in Catalonia is given by the existence of several problems with different origins:

1. The legal instability of the current regulatory framework as a result of its repeal by court rulings, which calls into question the legality of the activity of all operators operating in a service defined by the EU as being of general interest.
2. The detection of existing deficiencies in the service provided by the current network of

ITV stations, which creates difficulties in arranging certain services to groups with economic relevance and delay in the resolution of the administrative procedures that are carried out in ITV stations.

3. The difficulty of adapting swift and agile solutions to the short-term changes in the context that affects the provision of the service.
4. The high non-compliance in fulfilling the obligation to carry out the technical inspection of the vehicle and the little social utility of the service perceived by the users.

2.4.2 Participants in the provision of the ITV service.

The Vehicle Technical Inspection Service is an activity that directly affects a very large volume of the population, in general, and all the economic production sectors. In this sense, the following participants directly affected by this activity can be identified:

- Users of the ITV service for the purpose of:
 - Passing the regulatory vehicle technical inspections.
 - Carrying out administrative procedures at the stations as a result of certain circumstances that affect modifications to the vehicles, the uses of these or by circumstances affecting the documentation of the vehicle.
- Among the users of the service, the following can be identified:
 - The general population owning vehicles. (In general, private owners of cars, mopeds and motorcycles)
 - Owners of vehicles used as a work tool. In this group, the following sectors can be identified in a very specific way:
 - That of passenger transport vehicles in general. Within this we can differentiate:
 - ✓ Public transport vehicles
 - ✓ Private transport vehicles. (Professional associations exist)
 - ✓ Private transport vehicles (taxi and private vehicle hire) (There are associations and trade unions)
 - The transport of goods vehicles. (Professional associations exist)
 - Vehicles used for agricultural activities. (Professional associations exist)
 - That of special vehicles for work.
 - Vehicles used for other commercial activities.
 - The vehicles used for security and fire departments.
 - Dealers of imported vehicles.
- Entities owning stations providing the vehicle technical inspection service. Within these entities, a distinction should be made between:
 - Entities that are currently providing the ITV service in Catalonia.
 - Entities that do not currently provide the ITV service in Catalonia (but if providing it in other territories of the rest of the State, or abroad)
- Vehicle repair shops, such as entities where:
 - Corrections for faults detected during vehicle technical inspections may be made

- They must carry out certifications of installation/uninstallation of certain elements in the vehicle.
- Traffic authorities:
 - Police forces with traffic competences: Responsible for ensuring that vehicles circulating on public roads comply with the obligations established by the regulations.
 - Directorate-General for Traffic (DGT): Body holding the General Vehicle Register in which all inspections and actions carried out on vehicles are included.
- Industrial safety authority: Responsible for ensuring that inspections and actions carried out at ITV stations are performed in accordance with the specific regulations, and for ensuring the established conditions for the provision of the service to users.

2.4.3 Variables of the approach of economic, social and environmental analysis.

Given the characteristics of the activity to be regulated, this analysis clearly affects the impact on the following matters:

	<i>Economic impact</i>	<i>Social impact</i>	<i>Environmental impact</i>
The ITV Service supply and demand market	x		
Equal access to the ITV service by different types of users	x	x	
The balance and territorial coverage of the ITV service	x	x	
Monitoring and supervision of the activity by the Administration		x	
The environmental sustainability and energy efficiency of the ITV services	x		x
The technical quality of the actions carried out at the ITV stations	x	x	x

In this sense, the characteristics of the different alternatives mentioned in section 1.3.2 that affect the variables of economic, social and environmental analysis are:

A.1. Regulatory alternative: Not doing anything

- Existence of a network derived from a spatial planning of the 1980s, with a minor expansion in 2013.
- Establishing specific conditions for the provision of the service and additional specific requirements for ITV station establishments.
- Establishment of maximum rates for different services (not revised since 2009).
- Obligation to apply the rate that the same operator decides to apply for each service throughout the network of stations of the same operator.

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

- Freedom to establish stations at any location in the territory (with compliance with the technical competence requirements laid down in the basic legislation).
- Freedom to set prices for the services offered.

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)

- Administrative planning of expansion/alteration of the station network.
- Establishing specific conditions for the provision of the service and additional specific requirements for ITV station establishments.
- Establishing maximum rates for the different services.
- Obligation to apply the rate that the same operator decides to apply for each service throughout the network of stations of the same operator.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

- Freedom of establishment of stations at any location in the territory (with the fulfilment of territorial-weighting conditions).
- Establishing specific conditions for the provision of the service and additional specific requirements for ITV station establishments.
- Establishing maximum rates for the different services.

2.4.3.1 The ITV service supply and demand market.

Characteristics of the variable in the current context.

The supply and demand market for the ITV service in Catalonia is characterised by a demand of around 3 000 000 per year, for a network of 50 fixed stations with 122 inspection lines. The price of these actions is regulated by maximum rates. These rates in relation to the cost of carrying out the different actions do not represent the same economic returns, but certain actions have a higher returns taking into account the rate/resources ratio.

The geographical location of the stations derives from the territorial planning carried out in the early 1980s (with the expansion of six stations in 2012, based on an extension of the existing territorial planning). This distribution of the network, together with the pattern of behaviour of the users of the service, who usually go to the nearest station (especially in a market where there is no incentive for price competition) favours the existence of 'almost-monopolistic markets'.

A.1 Regulatory alternative: Not doing anything.

In this case, which is the current situation, since there is a strong demand for all kinds of inspections (more and less profitable) the service providers tend to target their service offerings to those more profitable products to the detriment of the less profitable, with the intention of capturing the market of requests for economically profitable products. In a simplified way, the most cost-effective products are the periodic inspection of passenger cars and motorcycles, while products with low profitability are in particular:

- Inspection of passenger transport vehicle.
- Inspection of heavy-goods vehicles.
- Agricultural vehicle inspection.
- Administrative formalities of major overhauls.

Activities with lower profitability affect professional sectors in particular, with the impact that this inefficiency generates on the particular economy of companies and in general society.

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

The combination of factors for this alternative has an impact on the ITV service supply and demand market meaning, taking into account the distribution of the vehicle fleet in Catalonia, it is foreseeable that in the short term, the service providers will tend to concentrate the supply (installation of stations) in the most densely populated areas of the territory (Barcelonés, Baix Llobregat, Vallès Occidental, Vallès Oriental and Maresme), where there will be heavy price competition while many regions with low population density could be left without ITV service. The elimination of existing legislation would result in eliminating the maximum rate, and as a result different actors could compete in price to attract customers. A competition that in existing cases in other sites (Community of Madrid or Region of Murcia) has evolved towards standards of rigour and quality in the actions being relaxed (inspection or administrative procedures).

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

The combination of factors for this alternative has an impact on the ITV service supply and demand market, which would at the outset lead to the existing network of ITV stations being maintained, and would first require determining the criteria for studying and analysing any network expansion needs in order to decide, where appropriate, the number and locations of the new ITV stations. Determining these criteria is not exempt from different interpretations of how they should be established and determining locations as well, and one and the other influence each other.

This option continues to be based on a de facto allocation approach of registered vehicles in a territory at the nearest ITV station, taking the behaviour patterns of service users into account.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

The combination of the factors for this alternative has an impact on the ITV service supply and demand market, which de facto entails initially the maintenance of the existing network of ITV stations, given that the operators currently authorised in Catalonia, comply with a fairly high level of territorial weighting requirements, and allows new stations to be opened where demand is highest, avoiding emptying and moving establishments from areas with less economic interest to the most attractive areas, with the counterweight entailed by the opening of stations in less attractive areas when opening or expanding the service supply in the most attractive areas (according to the criteria of territorial weighting).

2.4.3.2 Equal access to the ITV service for different types of users.

Characteristics of the variable in the current context.

Access to the service is regulated by the offer made available to users by the entities offering the service. As there is a high demand over existing supply, these bidders can target the most profitable products and select customers at their discretion, since there are neither provisions explicitly prohibiting this practice nor effective mechanisms to monitor this.

Consequently, for those sectors and professional participants with less influence (as in the case of SMEs) the service offer is smaller, and consequently access to the service compared to other applicants is more complicated.

A.1 Regulatory alternative: Not doing anything.

In this case, which is the current situation, the situation of difficulty accessing the service by all users in general, and much more markedly in the more densely populated areas and of the groups with less influence, will be maintained and worsened by the continuous increase in demand, since there is naturally an increase in the fleet of vehicles, added to the fact that at present there is uncertainty both economic and type of technology to choose when purchasing a vehicle, which causes the fleet of vehicles to gradually age, thus increasing the frequency of inspection of registered vehicles.

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

The combination of factors for this alternative has an impact on access to the ITV service, which will entail that the private initiative itself will assess the economic viability of opening stations on the basis of expected demand, fixed and variable activity costs and the prices of its services. This option may lead, in the short term, to a relocation and accumulation of service supply in the most economically profitable areas, where there would be strong price competition and a foreseeable decline in supply in areas with lower demand, where service prices are expected to rise. This medium- and long-term situation is expected to evolve into a more stable situation, in which the market sets the price of services in a differentiated way in each area, depending on the existing supply-demand ratio.

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

The combination of factors for this alternative has an impact on the access to the service of the ITV, once a territorial planning has been defined that actually increases the service supply sufficiently, it can favour the absorption of excess demand. If territorial planning is insufficient, problems of accessing services will persist with a different intensity.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

The combination of factors for this alternative has an impact on access to the ITV service that will entail a slow expansion of the supply, given the obligations arising from the territorial weighting. This should allow for a progressive absorption of excess demand in certain areas. It will also allow adjusting the prices of their services to the actual production costs according to their location, while respecting the maximum rates.

2.4.3.3 The balance and territorial coverage of the ITV service.

Characteristics of the variable in the current context.

The geographical location of the stations derives mostly from the territorial planning carried out in the early 1980s, with the extension that was conducted as a result of the approval of the model derived from Law 12/2008 on industrial safety, which between 2012 and 2013 increased the existing network by six stations until that time, so that there are currently 50 stations available with 122 inspection lines. The territorial distribution of the network, from the outset, had the objective of having ITV stations in all the regions. At present, the majority have one ITV station as a minimum.

At present, in accordance with the provisions of paragraph 4 of the Ninth Additional Provision of Law 2/2021, of 29 December 2021, on tax, financial, administrative and public sector measures, the granting of new authorisations for owners of vehicle technical inspection stations provided for

in Articles 26.1 and 37, of Law 12/2008, is suspended until the entry into force of a law regulating the new legal framework of the service of general interest for the vehicle technical inspection. As a result, as long as this new legal framework for the service is not approved, there can be no alteration of the existing network.

A.1 Regulatory alternative: Not doing anything.

In that case, the current network of stations would be maintained. This network covers quite a lot of the territory (only five regions do not have an ITV station, and they are regions with little population) and, when an appointment is made to access the service, the movements of users to the nearest station are not excessively long.

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

The combination of factors for this alternative has an impact on the balance and territorial coverage of the ITV service which, according to the size of the territory and the heterogeneity of its population distribution (and as a consequence of its fleet of vehicles), means that there is a tendency to delocalise stations from areas with low population density to the most densely populated areas, with the only incentive to maintain or open stations in the first areas being economic rebalancing through price increases.

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

The combination of factors for this alternative has an impact on the balance and territorial coverage of the ITV service, which will maintain the existing territorial coverage, and when the new territorial planning is determined, if it foresees an extension of the network, it will allow an increase in coverage.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

The combination of factors for this alternative has an impact on the balance and territorial coverage of the ITV service which, in the short term, will mean a sustained growth of the network in both the most densely populated areas and in the less populated areas, with particular relevance in the regions that currently do not have an ITV station.

2.4.3.4 The monitoring and supervision of the activity by the Administration.

Characteristics of the variable in the current context.

According to Directive 2014/45/EU, of 3 April 2014, on periodic vehicle technical inspections of motor vehicles and their trailers, vehicle technical inspection is a sovereign activity which must necessarily be carried out by states or public or private bodies under their supervision. Since, in Catalonia, the provision of the service is carried out by private entities under administrative authorisation, the Generalitat of Catalonia, as the competent authority for the supervision of this sovereign activity in the territory of Catalonia, exercises the monitoring and supervision of the activity carried out by the authorised operators. This monitoring and supervision involves:

- Ensuring that the conditions of authorisation and the requirements to be able to carry out the activity are maintained.

- Ensuring the correct application of the inspection technical standards in the vehicles inspected, as well as the correct application of the criteria for the resolution of administrative formalities that are resolved at the ITV stations.
- Ensuring compliance with the conditions of provision of the service to users defined by the Generalitat of Catalonia.
- Resolving the doubts, complaints and controversies raised by the users of the service regarding the actions of the operators.
- Promoting regulatory and technological changes and adaptations in the activity and network of ITV stations.

A.1 Regulatory alternative: Not doing anything.

This alternative means that the five entities that currently have administrative authorisation will continue to operate. The current number of operators is small, and since the expansion of the network of stations is frozen, the current monitoring and supervision activity of the Administration is limited to:

- Supervision of compliance with the specific conditions for the development of the activity.
- Supervision of the correct application of inspection protocols.
- Resolution of doubts, complaints and disputes raised by the users of the service regarding the actions of the operators.
- Implementation of regulatory and technological changes and adaptations in the activity and network of ITV stations.

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

The combination of factors for this alternative has an impact on the monitoring and supervision of the activity by the Administration, which is expected to result in an increase in the existing operators and stations in the market. This in the monitoring and supervision activity will involve:

- Supervision of compliance with the specific conditions for the development of the activity. (Increased regarding the case of doing nothing due to the increase in operators and the foreseeable opening and closing of stations)
- Supervision of the correct application of inspection protocols. (Increased regarding the case of doing nothing due to the increase of operators and stations)
- Resolution of doubts, complaints and disputes raised by the users of the service regarding the actions of the operators.
- Implementation of regulatory and technological changes and adaptations in the activity and network of ITV stations. (The effort required for coordination by the administration will be increased)

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

The combination of factors for this alternative has an impact on the monitoring and supervision of the activity by the Administration, which can lead to a slight increase of the existing operators in the market. This, in the monitoring and supervision activity, will involve little change from the alternative of doing nothing new:

- Supervision of compliance with the specific conditions for the development of the activity.
- Supervision of the correct application of inspection protocols.
- Resolution of doubts, complaints and disputes raised by the users of the service regarding the actions of the operators.

- Implementation of regulatory and technological changes and adaptations in the activity and network of ITV stations.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

The combination of factors for this alternative has an impact on the monitoring and supervision of the activity by the Administration, which is expected to result in an increase in the existing operators and stations in the market. This in the monitoring and supervision activity will involve:

- Supervision of compliance with the specific conditions for the development of the activity. (Increased regarding the case of doing nothing due to the increase in operators and the foreseeable opening and closing of stations)
- Supervision of the correct application of inspection protocols. (Increased regarding the case of doing nothing due to the increase of operators and stations)
- Resolution of doubts, complaints and disputes raised by the users of the service regarding the actions of the operators.
- Implementation of regulatory and technological changes and adaptations in the activity and network of ITV stations. (The effort required for coordination by the administration will be increased)

2.4.3.5 The environmental sustainability and energy efficiency of the ITV service.

Characteristics of the variable in the current context.

Currently, in the development of the activity of the ITV service, the environmental sustainability and energy efficiency measures that have been implemented are those derived from existing legal obligations, in relation to aspects of waste recycling and air and noise pollution.

A.1 Regulatory alternative: Not doing anything.

This alternative entails maintaining the current policy of adaptation of the ITV service the legal obligations that are established in a generic way, in terms of both environmental sustainability and energy efficiency.

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

The combination of factors for this alternative has an impact on the environmental sustainability and energy efficiency of the ITV service that can mean that an increase in environmental and energy efficiency requirements affects the economic profitability of the establishments and this entails closure of stations or increased prices of services.

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

The combination of factors for this alternative has an impact on the environmental sustainability and energy efficiency of the ITV service, which will entail that given the ability to establish specific conditions for the provision of the service to operators, the Administration can implement measures additional to those established generically by the rest of society and productive sectors. In this case, taking into account the characteristics of the model, it will not affect the coverage of the service, but the implementation of these improvements will involve investments that may affect the economic profitability, and given the existence of maximum rates to be

applied throughout the network of the entities themselves, may affect the quality and rigour of the inspection activity.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

The combination of factors for this alternative has an impact on the environmental sustainability and energy efficiency of the ITV service, which will entail that given the ability to establish specific conditions for the provision of the service to operators, the Administration can implement measures additional to those established generically by the rest of society and productive sectors. In this case, taking into account the characteristics of the model, it will allow the network to be adapted and modulated, if necessary, and the prices to be adapted within the margins set out in the maximum rate, to balance economic profitability where appropriate. However, this situation may affect the quality and rigour of the inspection activity, but presumably in a more cushioned way for the purposes of the previous case.

2.4.3.6 The technical quality of the actions carried out at the ITV stations.

Characteristics of the variable in the current context.

The competence and technical quality of the actions carried out by the operators in the ITV stations in Catalonia, as well as the homogeneity of the inspection criteria is determined by the regulations and protocols of inspection and audited by the competent body for industrial safety of the Generalitat of Catalonia and the Spanish National Accreditation Body (ENAC).

The operators of the inspection require accreditation of technical competence issued by ENAC, which assesses that operators have the appropriate knowledge and procedures to carry out the inspection activity, based on compliance with the quality standards of the legally provided. This evaluation activity is carried out on a regular basis by specialised auditors. In addition, the Generalitat of Catalonia establishes conditions specific to the provision of the service and ensures the correct application of the procedures and technical provisions and service provision.

A.1 Regulatory alternative: Not doing anything.

In this case, maintaining the competence and technical quality of the actions carried out on ITV stations is foreseeable. The lack of heavy competition between operators to attract customers allows less pressure to be rigorous in the application of inspection protocols, since there is not much danger of losing customers.

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

The combination of factors for this alternative has an impact on the technical quality of the actions carried out in ITV stations that can be very relevant. In this context, competition for customers means that the thresholds of rigour in applying the criteria are relaxed, provided that there is no vigilance and, where appropriate, corrective action on the part of the supervisory administration.

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

The combination of factors for this alternative has an impact on the technical quality of the actions carried out on ITV stations that might be similar to the alternative of doing nothing, in the event that the extension/modification of the network does not add important factors of competition between operators. Otherwise, generally or locally, it may lead to issues similar to those indicated in the case of free access to the activity, but predictably with less intensity.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

The combination of factors for this alternative has an impact on the technical quality of the actions carried out on ITV stations similar to the alternative of doing nothing, but with lower intensity impacts.

2.4.4 Indicators and time horizon by economic, social and environmental analysis.

Based on the above, they are identified as indicators to carry out the economic, social and environmental analysis of the alternatives proposed for the development of this service:

- I (1) The average value of the rates applied for the services. This indicator assesses the overall economic cost involved in the difference between the value of the rate applied by the operators and the statutory maximum rate.
- I.2. The average waiting time as soon as an appointment is requested and the provision of the service. This indicator evaluates the economic-social cost involved in the delay in waiting time between the minimum expected average waiting time in all alternatives, with respect to the expected average waiting times in each alternative at each moment in the evolution of the scenarios.
- I.3. The average distance to access the nearest station. This indicator evaluates the economic-social-environmental cost of moving users to the nearest station (as the pattern of choice of priority inspection centre), referenced on the basis of the difference from the lowest average distance of all alternatives.
- I.4. The maximum distance to access the nearest station. This indicator evaluates the economic-social-environmental cost of relocating ITV stations in areas with a pair of vehicles that makes the operation of the service unprofitable (25 % of the vehicle fleet can be affected by this relocation)
- I.5. The average distance to access the nearest competitor station. This indicator assesses the economic-environmental costs of the competitive factor between the service's lenders.
- I.6. The percentage of non-compliance. This indicator evaluates the economic-social-environmental impact of non-compliance, estimated at half the maximum fee for each inspection that is not performed.
- I.7. The level of unfavourable inspections. This indicator evaluates the economic-social-environmental impact of the detection of defects in vehicles, estimated at one third of the maximum rate for each inspection that is detected as unfavourable.

On the other hand, for the analysis time horizon it must be considered that in those alternatives that entail a change of model compared to the current model, the impacts on the different indicators will evolve differently until these models become stable. This stabilisation can be estimated at a maximum horizon of 10 years.

A.1 Regulatory alternative: Not doing anything.

What is relevant in this alternative is that the situation will evolve in a way that will put sustained stress on the system, (demand will continue to increase slowly against a stagnant supply).

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

In this alternative, the situation is expected to evolve:

In the short-term (in the first 2 years):

- Opening new stations in the most densely populated areas, increasing the service offer in these areas.
- A significant generalised increase in rates until a competitive market is effective in the most densely populated areas.

Between the 3rd and 5th year:

- Reduction of rates in areas with greater competition between operators.
- Closure of less profitable stations in sparsely populated areas, reducing the supply of service in these areas.

Between the 6th and 10th year:

- Overall stabilisation of the station network and stabilisation of rates, with strong differences between the more densely populated areas compared to the very sparsely populated.

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

This alternative will depend on the degree of network expansion. With a slight expansion concentrated especially in the most densely populated areas, the situation will evolve slightly lowering the pressure on the system, but with a demand that will continue to increase and that will reproduce the situation of the alternative of doing nothing, but with temporary lag.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

In this alternative, the situation is expected to evolve:

In the short-term (in the first 2 years):

- Opening new stations in the most densely populated areas and parallel to the less populated areas, slowly increasing supply throughout the territory.
- Maintaining supply and demand pressure.
- Maintaining rates in the high band (maximum rate)

From the 3rd year:

- Sustained decline and generalised stabilisation of rates due to widespread increase in competition.

Between the 6th and 10th year:

- Overall stabilisation of the station network and stabilisation of rates, with slight differences between the more densely populated areas compared to the very sparsely populated.

2.4.5 Evolution of the indicators of economic, social and environmental analysis in the time horizon.

Scenario of the first 2 years:

	A.1	A.2	A.3	A.4
I.1	Maximum rate EUR 45 Insp fee: EUR 45	No maximum rate Insp fee: EUR 75	Maximum rate EUR 45 Insp fee: EUR 45	Maximum rate EUR 45 Insp fee: between EUR 30 (75 % fleet) – EUR 45 (25 % fleet)
I.2	Average waiting time 30 days	Average waiting time 20 days	Average waiting time 25 days	Average waiting time 20 days
I.3	Average distance 15 km	Average distance 15 km	Average distance 15 km	Average distance 12 km
I.4	Max distance 20 km	Max distance 25 km	Max distance 20 km	Max distance 18 km
I.5	Comp distance 20 km	Comp distance 20 km	Comp distance 20 km	Comp distance 15 km
I.6	Non-compliance 18 %	Non-compliance 18 %	Non-compliance 16 %	Non-compliance 10 %
I.7	Unfav insp 21 %	Unfav insp 15 %	Unfav insp 21 %	Unfav insp 21 %

A.1: Not doing anything

A.2: Repealing existing legislation. (Free access to the activity)

A.3: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)

A.4: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting)

Scenario between the 3rd and 5th year:

	A.1	A.2	A.3	A.4
I.1	Max rate EUR 45 Insp fee: EUR 45	No max rate Insp fee: between EUR 22 (75 % fleet) – EUR 75 (25 % fleet)	Max rate EUR 45 Insp fee: EUR 45	Max rate EUR 45 Insp fee: between EUR 30 (75 % fleet) – EUR 45 (25 % fleet)
I.2	Average waiting time 35 days	Average waiting time 13 days	Average waiting time 20 days	Average waiting time 7 days
I.3	Average distance 15 km	Average distance 35 km	Average distance 12 km	Average distance 10 km
I.4	Max distance 20 km	Max distance 65 km	Max distance 18 km	Max distance 20 km
I.5	Comp distance 20 km	Comp distance 42 km	Comp distance 13 km	Comp distance 15 km
I.6	Non-compliance 20 %	Non-compliance 13 %	Non-compliance 16 %	Non-compliance 8 %
I.7	Unfav insp 21 %	Unfav insp 10 %	Unfav insp 21 %	Unfav insp 21 %

A.1: Not doing anything

A.2: Repealing existing legislation. (Free access to the activity)

A.3: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)

A.4: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting)

Scenario between the 6th and 10th year:

	A.1	A.2	A.3	A.4
I.1	Max rate EUR 45 Insp fee: EUR 45	No max rate Insp fee: between EUR 30 (75 % fleet) – EUR	Max rate EUR 45 Insp fee: EUR 45	Max rate EUR 45 Insp fee: between EUR 30 (75 % fleet) – EUR

I.2	Average waiting time 40 days	70 (25 % fleet) Average waiting time 5 days	Average waiting time 22 days	45 (25 % fleet) Average waiting time 7 days
I.3	Average distance 15 km	Average distance 35 km	Average distance 12 km	Average distance 10 km
I.4	Max distance 20 km	Max distance 65 km	Max distance 18 km	Max distance 20 km
I.5	Comp distance 20 km	Comp distance 42 km	Comp distance 13 km	Comp distance 12 km
I.6	Non-compliance 22 %	Non-compliance 13 %	Non-compliance 16 %	Non-compliance 8 %
I.7	Unfav insp 21 %	Unfav insp 10 %	Unfav insp 21 %	Unfav insp 21 %

A.1: Not doing anything

A.2: Repealing existing legislation. (Free access to the activity)

A.3: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)

A.4: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting)

2.4.6 Costs and benefits of economic, social and environmental impacts.

The monetary allocation (EUR) of the units of the different indicators that impact economically, socially and environmentally is:

	Indicator	Measurment unit	Monetary equivalent (EUR)	Profit/Cost
I.1	The average value of the rates applied for the services	EUR	(total number x (max. rate val – weighted average rate)/2)	Benefit:
I.2	The average waiting time since the appointment is requested and the provision of the service	Day	(EUR 6 x (average wait time – minimum average wait time) x total number insp)	Cost
I.3	The average distance to access the nearest station.	km	(EUR 0.35 x (average distance – minimum average dist) x total num insp)	Cost
I.4	The maximum distance to access the nearest station.	km	(EUR 0.35 x max. dist x total num insp)	Cost
I.5	The average distance to access the nearest competitor station.	km	(EUR 0.35 x comp dist x total num insp)	Benefit:
I.6	The percentage of non-compliance.	%	(% abs x total num insp x average rate val/2)	Cost
I.7	The level of unfavourable inspections	%	(total number insp x average rate val/2 x % unfav insp level)	Benefit:

The volume of inspections is deemed:

- The first 2 years 3 000 000 million/year.
- Between the 3rd and 5th year 3 100 000 million/year.
- Between the 6th and 10th year 3 250 000 million/year.

Scenario of the first 2 years:

	A.1	A.2	A.3	A.4
I.1	EUR 0	EUR 60 000 000	EUR 0	EUR 22 500 000
I.2	EUR 75 000 000	EUR 45 000 000	EUR 60 000 000	EUR 45 000 000
I.3	EUR 6 000 000	EUR 6 000 000	EUR 6 000 000	EUR 2 400 000
I.4	EUR 3 000 000	EUR 4 500 000	EUR 3 000 000	EUR 2 400 000

I.5	EUR 12 000 000	EUR 18 000 000	EUR 12 000 000	EUR 6 000 000
I.6	EUR 24 300 000	EUR 24 300 000	EUR 21 600 000	EUR 13 500 000
I.7	EUR 28 350 000	EUR 20 250 000	EUR 28 350 000	EUR 28 350 000
	EUR -67 950 000	EUR 18 450 000	EUR -50 250 000	EUR -6 450 000

Scenario between the 3rd and 5th year:

	A.1	A.2	A.3	A.4
I.1	EUR 0	EUR 76 725 000	EUR 0	EUR 34 875 000
I.2	EUR 1 39 500 000	EUR 37 200 000	EUR 79 050 000	EUR 9 300 000
I.3	EUR 6 000 000	EUR 30 000 000	EUR 2 400 000	EUR 0
I.4	EUR 3 000 000	EUR 16 500 000	EUR 2 400 000	EUR 3 000 000
I.5	EUR 12 000 000	EUR 38 400 000	EUR 3 600 000	EUR 6 000 000
I.6	EUR 41 850 000	EUR 27 202 500	EUR 33 480 000	EUR 16 740 000
I.7	EUR 87 885 000	EUR 41 850 000	EUR 87 885 000	EUR 87 885 000
	EUR -90 465 000	EUR 46 072 500	EUR -25 845 000	EUR 99 720 000

Scenario between the 6th and 10th year:

	A.1	A.2	A.3	A.4
I.1	EUR 0	EUR 75 833 333	EUR 0	EUR 48 750 000
I.2	EUR 2 27 500 000	EUR 0	EUR 1 30 000 000	EUR 13 000 000
I.3	EUR 6 000 000	EUR 30 000 000	EUR 2 400 000	EUR 0
I.4	EUR 3 000 000	EUR 16 500 000	EUR 2 400 000	EUR 3 000 000
I.5	EUR 12 000 000	EUR 38 400 000	EUR 3 600 000	EUR 2 400 000
I.6	EUR 64 350 000	EUR 38 025 000	EUR 46 800 000	EUR 23 400 000
I.7	EUR 61 425 000	EUR 29 250 000	EUR 61 425 000	EUR 61 425 000
	EUR -2 27 425 000	EUR 58 958 333	EUR -1 16 575 000	EUR 73 175 000

2.4.7 Comparative summary of economic, social and environmental impact.

Alternatives.

- A.1: Not doing anything
- A.2: Repealing existing legislation. (Free access to the activity)
- A.3: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)
- A.4: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting)

	A.1	A.2	A.3	A.4
I.1	EUR 0	EUR 2 12 558 333	EUR 0	EUR 1 06 125 000
I.2	EUR 4 42 000 000	EUR 82 200 000	EUR 2 69 050 000	EUR 67 300 000
I.3	EUR 18 000 000	EUR 66 000 000	EUR 10 800 000	EUR 2 400 000
I.4	EUR 9 000 000	EUR 37 500 000	EUR 7 800 000	EUR 8 400 000
I.5	EUR 36 000 000	EUR 94 800 000	EUR 19 200 000	EUR 14 400 000
I.6	EUR 1 30 500 000	EUR 89 527 500	EUR 1 01 880 000	EUR 53 640 000
I.7	EUR 1 77 660 000	EUR 91 350 000	EUR 1 77 660 000	EUR 1 77 660 000
	EUR -3 85 840 000	EUR 1 23 480 833	EUR -1 92 670 000	EUR 1 66 445 000

Consequently, it is concluded that the alternative of free access to activity with territorial weighting is the alternative that entails a greater economic, social and environmental benefit in the time horizon analysed.

3. Comparison of the options considered.

The comparison of the alternatives considered in the 10-year time horizon for each area studied (budgetary, normative, gender and economic-social-environmental) allows us to visualise the strengths and weaknesses of each alternative.

Alternatives.

- A.1: Not doing anything
 - A.1.1. Without challenge.
 - A.1.2. Challenge with financial penalty.
- A.2: Repealing existing legislation. (Free access to the activity)
 - A.2.1. No property claim.
 - A.2.2. Property claim.
- A.3: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning)
 - A.3.1. No property claim.
 - A.3.2. Property claim.
- A.4: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting)
 - A.4.1. No property claim.
 - A.4.2. Property claim.

	<i>Budgetary impact</i>		<i>Regulatory impact (administrative burdens)</i>	<i>Gender impact</i>	<i>Economic, social and environmental impact (economic costs)</i>
A.1.1	EUR 0	EUR 0	EUR 0	None	EUR -3 85 840 000
A.1.2	EUR 0	EUR -3 000 000	EUR 0	None	EUR -3 85 840 000
A.2.1	EUR 0	EUR -1 380 000	EUR -1 979 965	None	EUR 1 23 480 833
A.2.2	EUR 0	EUR -11 380 000	EUR -1 979 965	None	EUR 1 23 480 833
A.3.1	EUR 57,000	EUR -7 90 000	EUR -8 33 213	None	EUR -1 92 670 000
A.3.2	EUR 57,000	EUR -1 290 000	EUR -8 33 213	None	EUR -1 92 670 000
A.4.1	EUR 140,600	EUR -1 380 000	EUR -5 88 978	None	EUR 1 66 445 000
A.4.2	EUR 140,600	EUR -3 880 000	EUR -5 88 978	None	EUR 1 66 445 000

A.1 Regulatory alternative: Not doing anything.

This alternative can have serious budgetary consequences in the event of a financial penalty for failing to enforce court rulings. On the other hand, the economic, social and environmental impacts are very relevant, and the regulatory impact is zero.

It should be borne in mind that a possible penalty for non-compliance would be accompanied by the obligation to reform the existing legislative framework, and consequently would entail at least the impacts identified in the alternative chosen at the time.

A.2 Regulatory alternative: Repealing existing legislation. (Free access to the activity).

This alternative can have significant budgetary consequences, especially if any compensation for property claims for lost profits is accepted. The alternative has a significant regulatory impact, since it generates significant administrative burdens, although this alternative is the one that, from the point of view of economic-social and environmental impact, is one of the most profitable alternatives.

A.3 Regulatory alternative: Administrative determination of specific conditions for the provision and location of inspection centres. (Restricted access to activity with territorial planning).

While this alternative has a moderate budgetary and regulatory impact, on the other hand the economic-social and environmental impact is negative and quite relevant.

A.4 Regulatory alternative: Administrative determination of specific provision conditions and conditions to ensure sufficient territorial coverage. (Free access to the activity with territorial weighting).

This alternative has moderate budgetary and regulatory impacts, similar to the alternative of territorial planning, although on the other hand it has a very important positive impact from an economic-social-environmental point of view.

In conclusion, it is opted for the regulatory alternative of a legal framework that determines the specific conditions of provision, and the conditions to ensure sufficient territorial coverage: Alternative A.4

4. Implementation, monitoring and evaluation of the standard.

The implementation, monitoring and evaluation of the standard will be the responsibility of the Subdirectorate-General for Industrial Safety of the Directorate-General for Industry.

The tasks associated with the implementation of the law are:

	Task	Implementation criteria
TI.1	Evaluate and issue administrative authorisation decisions for stations that continue the provision of the ITV service.	6 months from the entry into force of the law.
TI.2	Assess adequacy to the requirements and obligations for the provision of ITV service of stations that continue the provision of the ITV service.	3 months from the entry into force of the law.
TI.3	Define the publishing system of the coverage ratio of the ITV service.	2 months from the entry into force of the law.
TI.4	Call and decide on tenders for areas for the provision of mobile ITV service	6 months from the entry into force of the law.
TI.5	Define the ITV Service Scoreboard	6 months from the entry into force of the law.

TI.6	Define the information content of the ITV service of the Department responsible for industrial safety	2 months from the entry into force of the law.
TI.7	Define and implement the system of measurement of the degree of satisfaction of the ITV service	10 months from the entry into force of the law.
TI.8	Define and implement the communications procedures of the ITV operators derived from law.	4 months from the entry into force of the law.

The tasks associated with the follow-up of the law are:

	Task	Monitoring criteria
TS.1	Update ITV service coverage Ratio	After each authorisation decision, and each time there is an update of the official data of vehicles registered in Catalonia by IDECAT
TS.2	Check the conditions for starting the activity of authorised ITV stations.	Each time station activity commencements are reported
TS.3	Define the annual inspection plan for the conditions of service provision of ITV.	Annually, between October and December
TS.4	Define the annual plan for technical supervision of the activity of the ITV operators.	Annually, between October and December
T.5	Implement the actions of the annual inspection plan for the conditions of ITV service provision.	Between January and December
TS.6	Implement the actions of the annual plan for technical supervision of ITV operators' activity.	Between January and December
TS.7	Update and review the information content of the ITV service of the Department responsible for industrial safety	Every time there are news and annually in the month of January
TS.8	Define the objectives of the ITV service satisfaction measurement system	Annually, between October and December

The tasks associated with evaluating the law are:

	Task	Monitoring criteria
TA.1	Assess the degree of compliance with the objectives defined in the annual plan for inspection of conditions of providing ITV services	Annually, between March and April
TA.2	Assess the degree of compliance with the objectives defined in the annual technical monitoring plan for ITV operators' activity.	Annually, between March and April
TA.3	Evaluate the ITV service degree of satisfaction survey	Annually, between March and April

5. Annexes.

5.a. SMEs test.

Data of the initiative		
<p>Title 'Draft bill regulating the legal regime applicable to the provision of the vehicle technical inspection service'.</p>		
Identification of the population of companies affected		
<p>1. Estimation of the number of companies in the sector concerned and of their turnover, differentiating them by size:</p> <p>Micro-enterprises: Enter the number here companies – Type the volume figure EUR Small: Enter the number here companies – Type the volume figure EUR Medium-sized Enter the number here companies – Type the volume figure EUR Large: 20 companies – EUR 100 000 000</p> <p>2. Estimated number of workers employed in SMEs in the sector: Enter the number here workers.</p>		
<p>Remarks:</p>		
Consultation of the sector concerned:		
<p>3. Have SMEs in the sector concerned or business associations representing them been consulted on the design of the standard and regulatory options before starting the process? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4. Will at least those business associations representing the majority of SMEs in the affected sector be consulted during the hearing process? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
<p>Remarks:</p> <p>The sector which consists exclusively of large companies has been consulted (point 1)</p>		
<p>5. Have the administrative burdens arising from compliance with the proposed measures been quantified? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>6. Have the most relevant financial costs or substantive costs of the proposed regulation been quantified? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		

7. Is it ensured that the costs incurred for SMEs do not entail competitive disadvantages in relation to larger companies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Is it ensured that SMEs can operate under conditions of fair competition in the market?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Remarks:

Assessment of specific measures for SMEs

	Yes	No
9. Has any option been assessed for compliance with the regulation for smaller companies to be simplified or made more flexible, while achieving the public goals pursued?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Some examples are:</p> <ul style="list-style-type: none"> a. Temporary exemptions or longer transitional periods. b. Total or partial exemptions. c. Reductions or discounts on fees and direct financial aid. d. Simplification of obligations to provide information. e. Information campaigns, user guides, specific training, user support or other measures to improve access to information. f. Other measures that particularly benefit SMEs. 		
10. Have any of these more flexible regulatory options for SMEs been adopted in the regulatory proposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Has the proposal been drafted in simple language that is comprehensible for a person without specific legal training?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Does it contribute to simplifying the sector's regulatory framework in order to make it more accessible?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Remarks:

5.b. Problem tree.

Causes	Issues	Consequences
Maximum market share (cancelled)		Legal irregularity of the qualifying certificates of the ITV operators
Minimum compatibility distance (cancelled)		Long delay in implementing the reversion of the concession
Right of continuity former operators (cancelled)	Legal conflict	Delay in obtaining an inspection appointment and file resolution
Territorial plan 2010 (cancelled)		
Supply-demand imbalance	Difficulty in accessing the service	Complaints about impossibility of access to the service
Uneven profitability of the ITV service		Non-compliance
Little information objective ITV service		Complaint about uncertainty in the application of technical criteria
Unequal technical criteria between ITV stations	Poor perception of the service	Inconsiderate and hostile attitudes to ITV station staff

The Director-General for Industry