

Impact assessment of amendments to regulations on transport of long or wide indivisible loads

The Swedish Transport Agency's proposals:

Additions are made to the current regulations on requirements concerning vehicle signs that may be used to mark wide or long indivisible loads. We add that retro-reflective materials marked according to ECE Regulation 150 are allowed. Furthermore, all classes in ECE Regulation 104 can also be applied to retro-reflective materials of the vehicle signs.

The impact assessment has been revised after the referral. The revisions are marked with lines in the left margin of the text.

A. General

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

In connection with the entry into force of the Swedish Transport Agency's regulations and general advice on transport of wide indivisible loads (TSFS 2023:36) and the Agency's regulations and general advice (TSFS 2023:37) on transport of long indivisible loads, a problem was highlighted. The problem is that we require retro-reflective materials for certain vehicle signs in the regulations to be E-marked according to ECE Regulation 104 Class C.

Class C materials are not intended to be used for whole vehicle signs, but primarily to mark out the outer contours of heavy goods vehicles and lorry trailers with retro-reflective strips.

In practice, it is possible to manufacture vehicle signs with strips according to ECE-Regulation 104 Class C, but such involves extensive manual work for the sign manufacturer. There are also additional classes under the Regulation which are intended for whole vehicle signs.

ECE Regulation 104 has been replaced to some extent by ECE Regulation 150, which will eventually replace Regulation 104 in full. Today it is not possible to get new retro-reflective materials type-approved according to Regulation 104. In the long term, this may mean that it is not possible to manufacture signs that meet the requirements of TSFS 2023:36 and TSFS 2023:37 due to the requirements for marking under ECE Regulation 104 Class C.

2. What is to be achieved?

The regulatory amendment aims to make it easier for manufacturers of vehicle signs and to contribute to an updated regulatory framework. The amendment also aims to help ensure that, in the long term, vehicle signs will be available to companies carrying long indivisible loads.

3. What are the alternative solutions?

3.1 Impact if nothing is done?

If there is no regulatory amendment, there will eventually be no vehicle signs available, as companies no longer have retro-reflective materials marked according to ECE Regulation 104.

Given the existence of ECE Regulation 150 for vehicle signs, and the fact that we do not refer to the regulation but instead impose other requirements in our regulations, our regulations can constitute a barrier to trade.

Today's requirements take the form of government regulations and can therefore only be changed through regulatory amendments. We find no alternative that does not involve a regulatory amendment.

3.3 Regulatory alternatives

We propose that today's requirement for the retro-reflective material of signs to be E-labelled according to ECE Regulation 104 Class C should be amended and supplemented. The requirement for Class C is removed, which opens the door for all classes within the Regulation to be used. We also supplement the provisions by allowing materials to be E-labelled either according to ECE Regulation 150 or ECE Regulation 104.

We do not propose any new transitional provisions, rather the regulatory amendments should enter into force as soon as possible.

One option is to propose transitional provisions for the entry into force.

4. Who will be affected?

Manufacturers of vehicle signs for marking wide or long vehicles or for marking long or wide indivisible loads are most affected by the regulatory proposal and they are relatively few in number. They may be small, medium-sized, or large enterprises.

Indirectly, the proposal can make things easier for companies that use the signs, primarily transport companies carrying long or wide indivisible cargo. It is difficult to identify or estimate the number of companies involved, but they may be small, medium-sized, or large enterprises.

5. What are the impacts of the regulation?

5.1 Enterprises

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

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

Companies manufacturing signs designed to mark long or wide indivisible loads will have a simpler and faster manufacturing process to produce compliant signs. They will not have to do unnecessary manual work and can use more retro-reflective materials. The proposal will thus facilitate manufacturing and ease the cost and administrative burdens on such companies.

A simplified manufacturing process means that the companies that use these signs are expected to have both increased supply and cheaper signs.

5.2 Citizens

Citizens are deemed unaffected by the proposal.

5.3 The State, regional authorities or municipalities

The State, regions, and municipalities are deemed unaffected by the proposal.

5.4 Environment

The proposal is deemed to have small environmental impacts, but may contribute to reduced wastage of retro-reflective materials in the production of vehicle signs.

5.5 Externalities

The proposal is not deemed to have any externalities.

6. What is the impact of the regulatory alternatives considered and why is regulation considered the best option?

The proposal will give companies that manufacture vehicle signs more alternatives to retro-reflective

The proposal is expected to contribute to more up-to-date rules that are also more future-proof, as ECE Regulation 150 will be further developed and replace ECE Regulation 104. Today, both regulations contain corresponding requirements for the retro-reflective materials, which does not entail any increase in the technical requirements for retro-reflective materials. In the long term, only Regulation 150 will be applicable, as it is currently not possible to get new retro-reflective materials type-approved in accordance with Regulation 104.

If we do not amend the provisions, there is a risk that Sweden will be brought before the European Court of Justice, as today's provisions can be seen as a barrier to trade because we require only one of two applicable regulations.

The fact that we do not propose transitional provisions is because we are opening the door to more retro-reflective materials that may be used for the production of vehicle signs. Since ECE Regulation 150 includes the same technical requirements as ECE Regulation 104, there are no changes to the technical requirements, such as the reflectivity or colour spectrum of materials. Therefore, we do not introduce stricter rules, rather we maintain the level of technical requirements but allow several different materials.

In connection with the changes presented above, we also propose linguistic changes. The acronym of UNECE in references to a UNECE Regulation are changed to ECE, as such is in line with how the Agency refers to the international legal provisions. These changes are not considered to have any consequences, but should help make things easier for the reader.

We also make general linguistic changes that simplify the text in the regulations in order to facilitate understanding of the paragraphs.

In connection with the referral, some minor linguistic and grammatical errors were also found in the regulations and transitional provisions, which have been corrected before the adoption of the amending regulations.

7. On what authorisation is the Agency's right to make decisions based?

The Swedish Transport Agency's authorisation to regulate vehicle signs for transport of wide or long indivisible loads falls within the Agency's mandate under Chapter 4, Sections 15 and 17b of the Road Traffic Ordinance (1998:1276).

8. Does the legislation comply with or go beyond the obligations arising from EU legislation or other international rules?

The Government's authorisation and the regulations we propose are not deemed to go beyond the obligations arising from Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic. There are no other international rules that concern this.

As the proposals contain technical requirements for vehicle signs, they will be notified to the Commission under Directive (EU) 2015/1535¹. Sweden has implemented this directive through the Ordinance (1994:2029) on Technical Rules.

The proposals do not include provisions on services in the internal market under the Services Directive². The regulations do not therefore need to be notified under the Directive.

The proposals do not include provisions on data flow management under the Data Flow Regulation³. The

¹ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

² Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

³ Regulation (EU) 2018/1807 of the European Parliament and of the Council of 14 November 2018 on a framework for the free flow of non-personal data in the European Union.

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

We believe that the proposal should enter into force as soon as possible.

B. Transport policy effectiveness

The overall goal of Swedish transport policy is to ensure a socio-economically efficient and long-term sustainable transport supply for citizens and businesses throughout the country. Under the overall goal, there are performance objectives and health, environment and safety (HES) objectives with a number of prioritised areas.

The performance objective is to create accessibility for people and goods. The design, functioning and use of the transport system shall help provide everyone with basic accessibility, with good quality and usability, as well as contribute to the development dynamic across the whole country. At the same time, the transport system must uphold the value of equality, meaning it must meet the transport needs of both men and women in equal measure.

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

10. How does the regulation affect the performance objective?

The proposal will have a slight positive impact on companies' ability to transport wide or long indivisible loads.

11. How does the regulation affect the HES objective?

The proposal will not affect the HES objective.

C. Companies

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

D. Summary of impacts

Affected party	Impacts that cannot be quantified		Quantified impact (SEK + / -	Comments
	Advantages	Disadvantages		
Enterprises	Facilitates the development of vehicle signs. Cheaper vehicle signs. In the long term, the supply of vehicle signs is ensured.			
Citizens	-	-		
The State etc.	-	-		
Externalities	Reduced wastage in sign	-		
Total				

E. Consultation

During the development of the current regulations, the documentation was sent out to companies that manufacture vehicle signs. No comments were received on this occasion. We also did not receive any comments in connection with notification of the proposal. When the regulations came into force, we were contacted by a company that reported the problem presented in this impact assessment.

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

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