


Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2010/0258(COD) Procedure completed
Carriage of goods by road: statistical returns. Recast Repealing Regulation (EC) No 1172/98 1997/0233(CNS)	
Subject 3.20.05 Road transport: passengers and freight 3.20.20 Transport statistics	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		26/10/2010
		S&D SIMPSON Brian	
		Shadow rapporteur	
		PPE GROSCH Mathieu	
		ALDE MEISSNER Gesine	
	Verts/ALE LICHTENBERGER Eva		
	ECR ZILE Roberts		
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs		01/12/2010
		ECR KARIM Sajjad	
Council of the European Union	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	3134	12/12/2011
European Commission	Commission DG	Commissioner	
	Legal Service	BARROSO José Manuel	

Key events			
24/09/2010	Legislative proposal published	COM(2010)0505	Summary
07/10/2010	Committee referral announced in Parliament, 1st reading		
24/05/2011	Vote in committee, 1st reading		Summary
13/07/2011	Committee report tabled for plenary, 1st reading	A7-0212/2011	
01/12/2011	Results of vote in Parliament		
01/12/2011	Decision by Parliament, 1st reading	T7-0536/2011	Summary
12/12/2011	Act adopted by Council after Parliament's 1st reading		
18/01/2012	Final act signed		

18/01/2012	End of procedure in Parliament		
03/02/2012	Final act published in Official Journal		

Technical information

Procedure reference	2010/0258(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Regulation
	Repealing Regulation (EC) No 1172/98 1997/0233(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 338-p1
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/03915

Documentation gateway

Legislative proposal	COM(2010)0505	24/09/2010	EC	Summary
Committee draft report	PE458.658	22/02/2011	EP	
Amendments tabled in committee	PE462.873	18/04/2011	EP	
Committee report tabled for plenary, 1st reading/single reading	A7-0212/2011	14/07/2011	EP	
Text adopted by Parliament, 1st reading/single reading	T7-0536/2011	01/12/2011	EP	Summary
Commission response to text adopted in plenary	SP(2012)29	11/01/2012	EC	
Draft final act	00061/2011/LEX	18/01/2012	CSL	
Follow-up document	COM(2015)0017	26/01/2015	EC	Summary
Follow-up document	COM(2016)0562	12/09/2016	EC	Summary
Follow-up document	COM(2017)0775	14/12/2017	EC	Summary
Follow-up document	COM(2020)0785	08/12/2020	EC	
Follow-up document	COM(2021)0176	14/04/2021	EC	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2012/70](#)
[OJ L 032 03.02.2012, p. 0001](#) Summary

Final legislative act with provisions for delegated acts

Carriage of goods by road: statistical returns. Recast

PURPOSE: recasting of Council Regulation (EC) 1172/98 on statistical returns in respect of the carriage of goods by road.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

LEGAL BASE: Article 338(1) of the treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: no impact assessment was undertaken.

CONTENT: the codification of Council Regulation (EC) No 1172/98 of 25 May 1998 on statistical returns in respect of the carriage of goods by road was initiated by the Commission. The new Regulation was to have superseded the various acts incorporated in it; their content was to have been fully preserved and hence it would have done no more than brought them together with only such formal amendments as would have been required by the codification exercise itself.

In the meantime, the Lisbon Treaty came into force. Under Article 290 of the TFEU, the legislator may delegate to the Commission the power to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act.

Such a delegation of power may be suitable for certain provisions of Regulation (EC) No 1172/98. The Commission considers it is therefore appropriate to transform the codification of Regulation (EC) No 1172/98 into a recast in order to incorporate the necessary amendments.

BUDGETARY IMPLICATION: the proposal has no implication for the Community budget.

Carriage of goods by road: statistical returns. Recast

The Committee on Transport and Tourism adopted the report by Brian SIMPSON (S&D, UK) on the proposal for a regulation of the European Parliament and of the Council on statistical returns in respect of the carriage of goods by road (recast). It recommended that the European Parliament's position at first reading, under the ordinary legislative procedure, should be to amend the Commission proposal. The main amendments are as follows: Delegated acts: the committee considered that the delegation of powers as proposed by the Commission is too broad and should be limited. Accordingly, it stipulated that the Commission should be empowered to adopt delegated acts concerning laying down the data collection characteristics and adopting amendments to the contents of Annexes I to VII, except any modifications to the optional nature of the required information, where necessary to take account of economic, social or technical developments. Furthermore in exercising its power pursuant to this provision, the Commission shall ensure that any delegated acts adopted do not impose significant additional administrative burdens on the Member States and on the respondents. In addition, Members stressed that: it is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level before adopting delegated acts regarding data collection characteristics and the contents of the Annexes and laying down the minimum precision requirements for the statistical returns transmitted by the Member States; when preparing and drawing up delegated acts, the Commission should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council; new wording is inserted on the time-limits of the delegation and exercise of the delegation, which aim to reflect a new standard wording on delegated acts. Implementing acts: several amendments aim to adjust provisions on implementing acts to Regulation (EU) No 182/2011 of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers. Publication of results: a new clause states that the data shall be published no later than 12 months after the year and quarter that those data refer to. Annex: lastly, the committee made two amendments to the Annex regarding vehicle related variables.

Carriage of goods by road: statistical returns. Recast

The European Parliament adopted by 607 votes to 15 with 9 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on statistical returns in respect of the carriage of goods by road (recast).

Parliament adopted its position in first reading following the ordinary legislative procedure bearing in mind the recommendation of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

The amendments adopted in plenary are the result of a compromise negotiated between Parliament and Council. The Commission proposal is amended as follows:

Scope: the Regulation shall not apply to Malta, so long as the number of Maltese-registered goods road transport vehicles licensed to engage in the international carriage of goods by road does not exceed 400 vehicles. For that purpose, Malta shall submit annually to Eurostat the number of goods road transport vehicles licensed to engage in the international carriage of goods by road at the latest by the end of March following the year to which the number of goods road transport vehicles relates.

Delegated acts: in order to take account of economic and technical developments, the Commission will be empowered to adopt delegated acts in respect of updating Part 1 of Annex I, except for any modifications to the optional nature of the required information, and adapting Annexes II to VII.

In exercising its power pursuant to this paragraph, the Commission shall ensure that any delegated acts adopted do not impose significant additional administrative burdens on the Member States and on the respondents.

The power to adopt delegated acts shall be conferred on the Commission for a period of five years from the date of entry into force of the Regulation (tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension).

A delegated act shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council (extended by two months at the initiative of the European Parliament or of the Council).

Implementing acts: several amendments aim to adjust provisions on implementing acts to Regulation (EU) No 182/2011 on the exercise of implementing powers which entered into force on 1 March 2011.

Dissemination of statistical results: statistical results in respect of the carriage of goods by road shall be disseminated no later than 12 months after the end of the period to which the results relate.

Report: by 31 December 2014 and every three years thereafter, the Commission shall submit a report on the implementation of this Regulation to the European Parliament and to the Council. That report shall evaluate in particular the quality of the statistical data transmitted, the data collection methods as well as the administrative burdens on the Member States and on the respondents. It will, if appropriate, be accompanied by proposals for modifying the list of variables, taking into account the findings of related projects, in particular those on air pollution emissions caused by the carriage of goods by road.

Carriage of goods by road: statistical returns. Recast

PURPOSE: recasting of Council Regulation (EC) 1172/98 on statistical returns in respect of the carriage of goods by road.

LEGISLATIVE ACT: Regulation (EU) No 70/2012 of the European Parliament and of the Council on statistical returns in respect of the carriage of goods by road.

CONTENT: the Council adopted a recast of the 1998 regulation on statistical returns in respect of the carriage of goods by road. The recast aligns the regulation with the Lisbon treaty as regards delegation of powers to the Commission, whilst bringing together the amendments made to the regulation over time in a single legal act.

According to the Regulation, each Member State shall compile statistics for the Union on the carriage of goods by road by means of goods road transport vehicles which are registered in that Member State, and on the journeys made by such vehicles.

Each Member State may exclude from the scope of this Regulation goods road transport vehicles whose load capacity or maximum permissible weight is lower than a certain limit. This limit may not exceed a load capacity of 3,5 tonnes or maximum permissible weight of 6 tonnes in the case of single motor vehicles.

This Regulation shall not apply to Malta, so long as the number of Maltese-registered goods road transport vehicles licensed to engage in the international carriage of goods by road does not exceed 400 vehicles.

For that purpose, Malta shall submit annually to Eurostat the number of goods road transport vehicles licensed to engage in the international carriage of goods by road at the latest by the end of March following the year to which the number of goods road transport vehicles relates

Statistical results in respect of the carriage of goods by road shall be disseminated no later than 12 months after the end of the period to which the results relate.

By 31 December 2014 and every 3 years thereafter, the Commission shall submit a report on the implementation of this Regulation to the European Parliament and to the Council. That report shall evaluate in particular the quality of the statistical data transmitted, the data collection methods as well as the administrative burdens on the Member States and on the respondents. The report shall, if appropriate, be accompanied by proposals for modifying the list of variables, taking into account the findings of related projects, in particular those on air pollution emissions caused by the carriage of goods by road.

ENTRY INTO FORCE: 23/02/2012.

DELEGATED ACTS: in order to take account of economic and technical developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission.

The power to adopt delegated acts shall be conferred on the Commission for a period of 5 years from 23 February 2012. It shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period. The delegation of power may be revoked at any time by the European Parliament or by the Council. The delegated act shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.

Carriage of goods by road: statistical returns. Recast

The Commission presented a report on the implementation of Regulation (EU) No 70/2012 of the European Parliament and of the Council of 18 January 2012 on statistical returns in respect of the carriage of goods by road.

This report outlined the background, policy context and coverage of the legislation, and discusses its implementation, the statistical results and their publication. It then outlined possible future developments.

Implementation of the Regulation: the main conclusion of the report was that the implementation of Regulation (EU) No 70/2012 has had a broadly positive impact, enabling rapid production of comparable, high-quality results.

The Regulation has proven indispensable for producing national and EU road freight statistics and avoiding duplication of work. The statistics are regularly used in monitoring and assessing road freight transport policies at national and EU level.

Publishing the data has raised their visibility and provided a better return on the investment of resources.

The main statistical results have highlighted the following trends:

- road transport remains the most important mode of goods transport. In terms of tonne-km, it accounts for more than 70% of all inland transport modes, this share being relatively stable over the last decade;
- national transport by domestic hauliers represents almost two thirds of total freight transport by road. National transport performed by foreign hauliers accounts for about 1.5% of total road freight transport and for about 2% of total national road freight transport;
- the cabotage penetration rate, which measures the share of foreign hauliers in the national road freight transport market for hire and

reward, was 2.3% in 2012. It has recently grown somewhat, in particular following the lifting of transitional restrictions on hauliers from the countries that joined the EU in 2004 and 2007;

- in terms of tonnes transported, the major product groups carried in the Member States were mining and quarrying products (26% of the total in 2012), other non-metallic mineral products (14%), food, beverages and tobacco (12%) and agricultural products (9%).

Despite cabotages relatively small share of road transport operations overall, the Commission considered that there is a need to further improve the quality of the relevant statistics.

Administrative burden: Eurostat makes considerable efforts to help Member States implement the Regulation and produce high-quality statistics: it has developed an information system, and introduced communication methods that minimise the data management burden for the reporting countries.

In addition, it is continuously adapting its validation rules to make them more practical and efficient for data checking and processing and so help Member States reduce the reporting burden of both respondents and administrations.

Efforts to reduce the burden on respondents while increasing the response rate and data quality will continue. Several new fields of action have been identified, such as:

- developing the existing data reporting mechanisms;
- using electronic toll systems to complement and benchmark survey results and improve data quality;
- further exploiting available data to model transport flows and set parameters useful for transport policy and modelling, such as average load factors by transport type, or distance class;
- making the survey results more useful for: (i) evaluating market opening, transport efficiency, road transport market trends and the modal split; (ii) producing more detailed statistics on greenhouse gas emissions from road transport.

Developing the legal basis of the Regulation: ways of addressing new data needs arising from policy developments without significantly increasing the reporting burden have been identified. These may include: (i) a data collection on energy consumption in road freight transport; (ii) mandatory collection of data on empty journeys.

Carriage of goods by road: statistical returns. Recast

The Commission presented a report on the exercise of the power to adopt delegated acts conferred on the Commission under Regulation (EU) No 70/2012 of 18 January 2012 on statistical returns in respect of the carriage of goods by road.

In brief, Regulation (EU) No 70/2012 of the European Parliament and of the Council confers on the Commission the power to adopt delegated acts concerning: (i) the updating of Part 1 of Annex I, solely in order to take account of economic and technical developments, except for any modifications to the optional nature of the required information; (ii) adopt, where necessary, delegated acts concerning the adaptation of Annexes II to VII.

The power to adopt delegated acts is conferred for a period of five years from 23 February 2012. This power is to be tacitly extended for periods of five years unless the European Parliament or the Council objects.

The Commission shall draw up a report on the delegation of power not later than nine months before the end of the five-year period

Exercise of delegation: the Commission has not yet exercised the power to adopt delegated acts conferred on it by Regulation (EU) No 70/2012.

The Commission has not yet exercised the power to adopt delegated acts conferred on it by Regulation (EU) No 70/2012.

The Commission works continuously to improve the quality and timeliness of the data collection and to adapt the information collected and disseminated to the new users' needs and to take account of economic and technical developments of the domain.

All these aspects are discussed in the groups of national experts which are held every two years and approved by the Coordinating Group for Statistics on Transport.

Every time when technical changes of the annexes are decided and agreed with the group of experts, the delegated powers conferred to the Commission will be used to efficiently and timely manage those changes.

Conclusion: the Commission is of the view that it should continue to have the delegated powers conferred by Regulation (EU) No 70/2012, as in the future it might be necessary to exercise these delegated powers.

Carriage of goods by road: statistical returns. Recast

The Commission presented a report on the implementation of Regulation (EU) No 70/2012 of the European Parliament and of the Council on the statistical returns in respect of the carriage of goods by road.

Regulation (EU) N° 70/2012 was designed to provide the Commission, other EU institutions and national governments with comparable, reliable, harmonised, regular and comprehensive statistical data on the scale and development of the carriage of goods by road. These data are needed for framing, monitoring and evaluating EU policy.

The Commission considers that the experience gained and results obtained with the implementation of Regulation (EU) N° 70/2012 can be considered as largely positive. The resources allocated to maintain statistical production at both national and Commission level have permitted the production of comparable and high-quality results.

The Commission:

- supports Member States in implementing the Regulation and producing high quality statistics;

- has developed and maintained an information system and strengthened communication to minimise the burden for reporting countries;
- has also provided guidance for further improving data quality and reducing the data collection and reporting burden by publishing national good practices.

The report concludes that the Regulation has proven to be an efficient and effective tool for the production of high quality reliable and comparable road freight transport statistics at both EU and national level, avoiding duplication of work. All Member States delivered the requested datasets, with delays only in a small number of cases, mainly due to IT changes at national level. This makes it possible to produce high quality and reliable statistics on road freight transport in Europe.

In one Member State, the national road freight transport survey was replaced by the road freight survey under Regulation (EU) No 70/2012. The Commission encouraged other Member States to follow this example.

In addition, the statistics produced are regularly used for monitoring and assessing road freight transport policies at national and EU level.

Several task force and working group meetings have taken place with Member States in 2015-

2016 to examine and propose ways of improving data quality and reducing the data collection burden, and to discuss the feasibility of collecting information on empty truck journeys on a mandatory basis and data related to trucks fuel consumption. Member States still hesitate to agree to a mandatory collection of such information, due to the related increase in the reporting burden.

At the same time, the report notes an improvement in the availability of statistics reported on a voluntary basis by Member States. Furthermore efforts for producing more detailed statistics on fuel consumption in the transport sector are made in energy statistics ensuring coherence with the overall energy balances.