Basic information

2018/0140(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Electronic freight transport information Amended by 2021/0367(COD) **Subject** 2.80 Cooperation between administrations 3.20.01 Air transport and air freight 3.20.02 Rail transport: passengers and freight 3.20.03 Maritime transport: passengers and freight 3.20.04 Inland waterway transport 3.20.05 Road transport: passengers and freight 3.20.07 Combined transport, multimodal transport	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	DELI Andor (PPE)	03/07/2018
	Shadow rapporteur DANIELSSON Johan (S&D) BILBAO BARANDICA Izaskun (Renew) METZ Tilly (Greens/EFA) ZŁOTOWSKI Kosma (ECR) KOUNTOURA Elena (GUE/NGL)	

Former committee responsible	Former rapporteur	Appointed
TRAN Transport and Tourism	SCHMIDT Claudia (PPE)	03/07/2018

Former committee for opinion	Former rapporteur for opinion	Appointed
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	

Committee for opinion on the legal basis	Rapporteur for opinion	Appointed

	JURI Legal Affairs	ROBERTI Franco (S&D)	20/11/2019

Council of the European Union	Council configuration	Meetings	Date
	Transport, Telecommunications and Energy	3658	2018-12-03

European Commission	Commission DG	Commissioner
	Mobility and Transport	BULC Violeta

European Economic and Social Committee

European Committee of the Regions

Key events

Date	Event	Reference	Summary
17/05/2018	Legislative proposal published	COM(2018)0279	Summary
11/06/2018	Committee referral announced in Parliament, 1st reading		
03/12/2018	Debate in Council		
29/01/2019	Vote in committee, 1st reading		
04/02/2019	Committee report tabled for plenary, 1st reading	A8-0060/2019	Summary
12/03/2019	Decision by Parliament, 1st reading	T8-0139/2019	Summary
12/03/2019	Results of vote in Parliament		
24/09/2019	Committee decision to open interinstitutional negotiations after 1st reading in Parliament		
09/10/2019	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 73)		
21/01/2020	Approval in committee of the text agreed at early 2nd reading interinstitutional negotiations	PE646.931 PE646.938	
08/04/2020	Council position published	05142/1/2020	Summary
17/04/2020	Committee referral announced in Parliament, 2nd reading		
08/06/2020	Vote in committee, 2nd reading		
16/06/2020	Committee recommendation tabled for plenary, 2nd reading	A9-0119/2020	
08/07/2020	Decision by Parliament, 2nd reading	T9-0177/2020	Summary
15/07/2020	Final act signed		
15/07/2020	End of procedure in Parliament		
31/07/2020	Final act published in Official Journal		

Technical information

Procedure reference	2018/0140(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amended by 2021/0367(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 192-p1 Treaty on the Functioning of the European Union TFEU 091 Treaty on the Functioning of the European Union TFEU 100-p2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/9/01274

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE629.586	25/10/2018	
Amendments tabled in committee		PE630.437	05/12/2018	
Committee report tabled for plenary, 1st reading/single reading		A8-0060/2019	04/02/2019	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0139/2019	12/03/2019	Summary
Specific opinion	JURI	PE645.099	10/01/2020	
Committee letter confirming interinstitutional agreement		PE646.931	21/01/2020	
Text agreed during interinstitutional negotiations		PE646.938	21/01/2020	
Committee draft report		PE650.434	17/04/2020	
Committee recommendation tabled for plenary, 2nd reading		A9-0119/2020	16/06/2020	
Text adopted by Parliament, 2nd reading		T9-0177/2020	08/07/2020	Summary

Council of the EU

Document type	Reference	Date	Summary
Council statement on its position	01981/2020	07/04/2020	
Council position	05142/1/2020	08/04/2020	Summary
Draft final act	00027/2020/LEX	09/07/2020	

European Commission

Document type	Reference	Date	Summary

Legislative proposal	COM(2018)0279	17/05/2018	Summary
Document attached to the procedure	SWD(2018)0183	17/05/2018	
Document attached to the procedure	SWD(2018)0184	17/05/2018	
Commission response to text adopted in plenary	SP(2019)393	30/04/2019	
Commission communication on Council's position	COM(2020)0118	15/04/2020	
Follow-up document	COM(2025)0032	05/02/2025	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES3005/2018	17/10/2018	

Additional information

Source	Document	Date
EP Research Service	Briefing	
European Commission	EUR-Lex	

Final act

Regulation 2020/1056
OJ L 249 31.07.2020, p. 0033

Electronic freight transport information

2018/0140(COD) - 08/07/2020 - Text adopted by Parliament, 2nd reading

The European Parliament approved, in accordance with the ordinary legislative procedure, the Council's position at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on electronic freight transport information.

The general objective of the proposal is to encourage the digital exchange of freight transport and logistics in order to reduce administrative costs, improve the enforcement capacity of competent authorities and enhance the efficiency and sustainability of transport. It aims to establish a legal framework for the electronic communication of regulatory information between the economic operators concerned and competent authorities in relation to the transport of goods on the territory of the Union.

The draft legislative act requires competent authorities to accept regulatory information (for certain legal acts) in electronic form and establishes a framework of certified platforms and service providers (by conformity assessment bodies).

The general agreement concluded by the Parliament with the Council:

- minimises costs for economic operators and competent authorities, by, among others, base the certification system on existing international standards, models and agreements and ensure that certification is done in an independent manner;

- enhances the procedure for the setting of the precise standards, specifications and access rules, with the proper involvement of the co-legislators and of all relevant stakeholders;

- encourages all communication, including any follow-up requests, between the competent authorities and operators to take place electronically, where possible;

- clarifies the scope by indicating exactly what type of regulatory freight transport information, if sent in electronic form by the economic operator concerned through a certified platform, needs to be accepted by the competent authorities;

- states that the use of electronic means should become the main means of exchanging regulatory information between economic operators and competent authorities;

- encourages existing IT systems to be certified as a platform while ensuring interoperability;

- sets the various deadlines so that the system is operational as soon as possible, so that market uptake can take place soon.

The Commission is required to:

- assess whether the scope could be further enlarged to include other relevant regulatory information in the field of transport, for example those relating to the vehicle or driver;

- assess possible initiatives in order to establish in the future an obligation for economic operators to use electronic means to make regulatory information available to competent authorities.

Electronic freight transport information

2018/0140(COD) - 12/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 612 votes to 28 with 23 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on electronic freight transport information.

As a reminder, the Commission proposal (i) requires competent authorities to accept regulatory information (for certain legal acts) in electronic form, and (ii) sets up of framework of certified eFTI platforms and service providers (by conformity assessment bodies).

The European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Enlarged scope

The purpose of the Regulation is to reduce the costs of processing transport information between authorities and economic operators, to improve the enforcement capabilities of the authorities and to encourage the digitalisation of the freight transport and logistics.

In order to reduce administrative formalities, the regulation lays down the conditions under which:

-the economic operators concerned are required to make regulatory information electronically available to the Member States´ competent authorities;

Member States' competent authorities have to communicate electronically with the economic operators concerned as regards the provision of regulatory information.

The regulation will apply to regulatory information requirements for the transport of goods set out in international conventions applicable in the Union.

It should enable the development of European Platforms in order to exchange and easily share the information. The eFTI platforms shall be governed by the general principles of technological neutrality as well as interoperability.

Towards a complete digitalisation

Members considered that 'smart' digital enforcement necessitates all relevant information to become paperless and be available for competent authorities in electronic form. This will free up enforcement capacity, reduce unnecessary administrative burden on transport operators, better target high-risk operators and detect fraudulent practices. The use of electronic documents should therefore in the future become the rule.

Furthermore, in order to provide enforcement officials, including those performing roadside checks, with a clear and complete overview of the transport operators being checked, they should have direct and real-time access to all relevant information, so as to be able to detect infringements and abnormalities quicker and more efficiently.

Requirements for eFTI service providers

eFTI service providers should ensure that the data is interoperable and remain accessible, for a period of four years, in compliance with the relevant regulatory information requirements.

Certification

Certification of solutions and platforms are required to ensure the compliance with the eCMR protocol, data security and interoperability of the eFTI data set.

Members called for certification to be performed in an independent manner to avoid distortions of competition. Compliance should be ensured with existing, standardised platforms identified in international conventions that are applicable in the Union.

Existing IT systems, that are currently used by economic operators in the transport sector to provide regulatory information and that meet the functional requirements, should be certified as eFTI platforms.

Delegated acts

The proposal includes a large number of issues to be established by means of implementing acts. These issues include access and processing rules for competent authorities and functional requirements for eFTI platforms and service providers. Since these are issues of general application and aim to supplement certain non-essential elements of the legislative act, they should all be established by delegated acts.

The Commission should immediately start working on the necessary delegated acts in order to avoid further delays and to ensure that economic operators and Member States have enough time to prepare.

Evaluation

The Commission shall carry out an evaluation of this Regulation three years from the date of application of the Regulation at the latest. This evaluation shall examine the possibility of extending the scope of this Regulation to certain business-to-business information that is necessary to prove compliance with the relevant requirements in the Union legal acts governing the transport of goods

Electronic freight transport information

2018/0140(COD) - 04/02/2019 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Claudia SCHMIDT (EPP, AT) on the proposal for a regulation of the European Parliament and of the Council on electronic freight transport information.

As a reminder, the Commission proposal (i) requires competent authorities to accept regulatory information (for certain legal acts) in electronic form, and (ii) sets up of framework of certified eFTI platforms and service providers (by conformity assessment bodies).

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal as follows.

Enlarged scope

The purpose of this Regulation is to reduce the costs of processing transport information between authorities and economic operators, to improve the enforcement capabilities of the authorities and to encourage the digitalisation of the freight transport and logistics.

Members stated that the Regulation should:

- lay down the conditions under which the economic operators concerned are required to make regulatory information electronically available to the Member States´ competent authorities;

- lay down the conditions under which Member States' competent authorities have to communicate electronically with the economic operators concerned as regards the provision of regulatory information;

- apply to regulatory information requirements for the transport of goods set out in international conventions applicable in the Union.

The eFTI platforms shall be governed by the general principles of technological neutrality as well as interoperability.

Towards a complete digitalisation

Members considered that 'smart' digital enforcement necessitates all relevant information to become paperless and be available for competent authorities in electronic form. This will free up enforcement capacity, reduce unnecessary administrative burden on transport operators, better target high-risk operators and detect fraudulent practices. The use of electronic documents should therefore in the future become the rule.

Furthermore, in order to provide enforcement officials, including those performing roadside checks, with a clear and complete overview of the transport operators being checked, they should have direct and real-time access to all relevant information, so as to be able to detect infringements and abnormalities quicker and more efficiently.

Delegated acts

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Requirements for eFTI service providers

eFTI service providers should ensure that the data is interoperable and remain accessible, for a period of four years, in compliance with the relevant regulatory information requirements.

Certification

Certification of solutions and platforms are required to ensure the compliance with the eCMR protocol, data security and interoperability of the eFTI data set.

Members called for certification to be performed in an independent manner to avoid distortions of competition. Compliance should be ensured with existing, standardised platforms identified in international conventions that are applicable in the Union.

Existing IT systems, that are currently used by economic operators in the transport sector to provide regulatory information and that meet the functional requirements, should be certified as eFTI platforms.

Electronic freight transport information

2018/0140(COD) - 17/05/2018 - Legislative proposal

PURPOSE: to facilitate the electronic communication of information in freight transport.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: total freight transport in the EU has increased by almost 25 % over the last 20 years, and is projected to further increase by 51 % during 2015-2050. All this movement of goods is accompanied by a **large amount of information being exchanged among a variety of parties**, in both the private and the public domain. Today, this information is mostly printed on **paper**, in a variety of standard format documents.

The fragmented legislation and the resulting lack of acceptance by authorities discourage investment in digital solutions for electronic documents. Yet the **digitalisation of information exchange** has the potential to significantly improve the efficiency of transport and therefore to contribute to the smooth functioning of the single market.

The Commission has acknowledged the need to foster **acceptance and use of electronic transport documents** in a number of policy initiative. The case for intervention has also been recognised by a wide range of stakeholders.

This initiative is part of the **third 'Europe on the Move'** Package, which delivers on the new industrial policy strategy of September 2017, and is designed to complete the process of enabling Europe to reap the full benefits of the modernisation of mobility.

IMPACT ASSESSMENT: the preferred option is a full obligation for Member State authorities to accept regulatory cargo transport information or documentation, with partially harmonised implementation.

The main expected benefits are of an economic and environmental nature. The industry is expected to make savings worth **EUR 20-27 billion over 2018-2040**, compared to a scenario where no policy intervention at EU level is made (the baseline), thanks to reduction in administrative costs (i.e. costs related to the management and exchange of transport information and documentation). This is equivalent to **75-102 million hours** saved yearly. Road transport operators, 99% of which are SMEs, are expected to benefit of about 60% of all industry administrative costs savings. Positive environmental impacts are also expected, due to a decrease in road transport's modal share in 2030 relative to the baseline.

CONTENT: this proposal for a Regulation contains measures to:

- ensure that the obligation for all competent public authorities to **accept electronic freight documents/information is in place in all EU Member States**;
- ensure that the authorities implement the obligation of acceptance in a uniform manner;
- ensure the **interoperability** of the IT systems and solutions used for the electronic exchange of freight transport information, and in particular for business-to-administration (B2A) regulatory information communication.

Concretely, the proposal:

- lays down **requirements relative to the electronic format** in which regulatory transport information (eFTI) should be made available by the economic operators concerned;
- establishes the **obligation of the Member States' competent authorities** of regulatory information made available electronically by the economic operators concerned in compliance with the conditions provided that such information meets the requirements guaranteeing its authenticity, integrity, security, etc;
- requires the competent authorities, eFTI services providers and economic operators concerned to take measures to ensure the confidentiality of the information processed and exchanged in accordance with this Regulation;
- establishes the obligation of the Commission to adopt implementing acts establishing a common data set and subsets in relation the regulatory requirements under the scope of this Regulation, and laying down **common procedures** and rules for access to and processing by the competent authorities of regulatory information provided electronically;
-

sets out the **functional requirements** for the eFTI platforms by the means of which the regulatory information could be made available by the economic operators concerned, and empowers the Commission to adopt implementing acts laying detailed rules for their implementation.

The proposal contains provisions on **powers delegated** to the Commission to amend non-essential elements in Annex 1 to this Regulation, where the regulatory information requirements falling under the scope of this Regulation are listed.

Electronic freight transport information

2018/0140(COD) - 08/04/2020 - Council position

The Council adopted its position at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on electronic freight transport information.

The general objective of the proposal is to encourage the digital exchange of freight transport and logistics in order to reduce administrative costs, improve the enforcement capacity of competent authorities and enhance the efficiency and sustainability of transport.

The Council's position at first reading amends the Commission's initial proposal by partially reformulating it on the basis of the agreement reached with the European Parliament.

Subject matter and scope

The proposed Regulation aims to establish a legal framework for the electronic communication of regulatory information between the economic operators concerned and competent authorities in relation to the transport of goods on the territory of the Union. For that purpose, it:

- lays down the conditions based on which competent authorities are required to accept regulatory information when that information is made available electronically by the economic operators concerned;

- lays down rules on the provision of services related to making regulatory information available electronically by the economic operators concerned to competent authorities.

The Council's position clarifies the scope of the Regulation in the operating part of the text rather than in the Annexes.

Requirements for economic operators concerned

Where the economic operators concerned make regulatory information available to a competent authority by electronic means, they shall do so on the basis of data processed on a certified eFTI (Electronic Freight Transport Information) platform and, where applicable, by a certified eFTI service provider. This information shall be made available by the economic operators concerned in a machine-readable format and, at the request of the competent authority, in a human-readable format.

Requirements for competent authorities

The Regulation may not be effectively applied before the entry into force of the delegated and implementing acts provided for therein. The Council's position clarifies the link between the timing of the adoption by the Commission of delegated and implementing acts and the date of application of the requirements for competent authorities.

More specifically, it is foreseen that competent authorities shall be required to accept regulatory information made available by electronic means by the economic operators concerned 30 months after the entry into force of the first of the delegated or implementing acts referred to in Articles 7 and 8 of the Regulation concerning respectively the ‘eFTI common data set and eFTI sub-data sets’ and the ‘common procedures and rules for access’.

As regards the assessment of the nature of the powers to be conferred on the Commission, the Council position provides that the Commission (i) adopts delegated acts to establish the ‘eFTI common data set and eFTI data subsets’ (Article 7) and (ii) adopts implementing acts establishing ‘common procedures and rules for access’ (Article 8).

The Council's position specifies that the first of these delegated and implementing acts shall be adopted by the Commission at the latest 30 months after the entry into force of the Regulation.

Functional requirements for eFTI platforms

The proposed Regulation lays down the functional requirements for the eFTI platforms that shall be used by economic operators to make regulatory freight transport information available to competent authorities in electronic format in order to meet the conditions for the mandatory acceptance of this information by competent authorities.

The Commission shall adopt, by means of implementing acts, detailed specifications for the functional requirements for the eFTI platforms. With a view to keeping the eFTI system up to date, the Council position provides that the Commission, in developing these specifications, shall seek to ensure the interoperability of the eFTI platforms, take into account relevant existing technical solutions and standards and ensure that these specifications remain, as far as possible, technologically neutral.

Certification

To build the confidence of both competent authorities and economic operators as regards compliance by eFTI platforms and eFTI service providers with those functional requirements, Member States shall put in place a certification system underpinned by accreditation in accordance with Regulation

(EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products.

Revision

The Commission shall carry out an evaluation of the Regulation eight and a half years after its entry into force.

The Council's position adds an obligation for the Commission to carry out an assessment to determine whether increased interoperability between the different platforms used for the registration and processing of regulatory information may be established and whether the application of the Regulation for the purpose of using electronic means to make regulatory information available to competent authorities may be made compulsory for economic operators. If appropriate, it is foreseen that this assessment shall be accompanied by a legislative proposal.

The Regulation shall apply from four years after its entry into force.