

**IMPACT ASSESSMENT REPORT OF THE MEASURES PROPOSED IN THE PRELIMINARY
DRAFT LAW REGULATING THE PROVISION OF ROADWORTHINESS TESTING
SERVICES (ITV) IN CATALONIA.**

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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 roadworthiness test 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 testing to be carried out in connection with overhauls and other procedures.

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

The mandatory nature of vehicle roadworthiness testing requires the competent public authority to ensure that the corresponding service is provided adequately, both in terms of the existence and adequacy of a network of testing centres throughout the territory and of ensuring the quality of the roadworthiness testing services provided.

The regime for this public intervention has been evolving in order to adapt to the changing needs of the service and the existing vehicle fleet. Thus, since commencing its activities in 1982, the Government of Catalonia decided to outsource the roadworthiness testing 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 testing stations in Catalonia. The general principle followed in establishing this network was that no vehicle should have to travel more than 50 km to undergo testing, and to avoid a concentration of testing stations in any given zone; thus, once the network had been established, the stations could be sized and located according to the vehicle fleet within their catchment zone.

Thus, the Generalitat defined an indirect management model of the service through the concept of the administrative concession, with a regime of single fees approved by the Administration, by the Order, of 21 June 1982, approving the Regulation on the organisation and legal regime of the vehicle roadworthiness testing service in Catalonia. This provision established that the vehicle roadworthiness testing service would be provided by the entities awarded contracts following a public tender procedure; that those entities would be required to meet the conditions laid down for bodies collaborating with the public administration; that the concessions would have a term of 20 years, renewable for successive five-year periods up to a maximum of 99 years; and that the legal regime governing the concessions would be that laid down in the contracts entered into and, for matters not provided for therein, in State public procurement legislation.

Based on the above, the territory of Catalonia was divided into 13 concession zones. Each integrated zone of several whole counties (except the district of Barcelonés, which was divided into two zones).

The public tenders of the different zones were held during August 1982, and the awarding was carried out in November 1982. The awarding of the different concession zones corresponded to three entities:

- ECA-ITV, SA: 5 zones.
- Revisions de Vehicles, SA (RVSA): 2 zones.



- ITEUVE, SA: 6 zones.

The concession contracts (20 years in duration, plus 3 additional renewable years) ended on 23 July 2006.

In 1998, the AGBAR group (under the name of AGBAR ITV, SA) entered the vehicle roadworthiness test sector by purchasing 100 % of the company ITEUVE, SA, and 51 % of the company ECA-ITV, SA. Subsequently, in 2000, this business passed on to the company APPLUS, which became the network's dominant operator. In terms of testing lanes, the market share distribution was as follows: APPLUS 80 %, and RVSA 20 %.

The validity of the concessions was extended until July 2014 by the Resolution of the Minister of Labour, of 19 September 2003, which extended the ITV concessions for an additional 8 years. This resolution was subsequently annulled by the Resolution of the Minister of the Department of Labour and Industry, of 31 August 2004. Thus, 23 July 2006 remained as the end date of the concessions. This annulment was challenged in administrative litigation by the three concessionary companies.

The impending expiry of the concessions forced the approval of Law 10/2006, of 19 July 2006, on the provision of roadworthiness testing 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 regime of provision of ITV services in Catalonia. This objective was achieved with the adoption by the Parliament of Catalonia of Law 12/2008, of 31 July 2008, on industrial safety, which replaced the concession model with a new legal regime based on the administrative authorisation of external operators responsible for providing the ITV service. 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 testing 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 roadworthiness test 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 zones) are defined to avoid territorial monopolies arising.
- A continuity regime is established for operators from previous concessions, who must, however, adapt to the requirements of the new model (especially the maximum quota and minimum distances).
- The expansion of the station network in accordance with a Territorial Plan (2010-2014).

In June 2010, the process of adapting the entity APPLUS to the new competitive model led to CERTIO (a new company created from 49 % of ECA-ITV not controlled by APPLUS) separating from this dominant operator, with a total of 10 stations (22 % share). As a result, Resolution IUE/2862/2010, of 31 August 2010, was adopted, publishing the authorisations granted to Applus Iteuve Technology, SL, Applus ECA-ITV and Revisions de Vehicules, SA (Prevencontrol) as operators of vehicle testing stations under Decree 30/2010, of 8 March 2010, which approved the implementing regulations for Law 12/2008, of 31 July 2008, 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, was approved, which regulates the economic



consideration for the owners of vehicle roadworthiness test stations to use the reverted assets and rights of the former administrative concessions.

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 testing operators (which entails that the concession operators could continue to operate the stations, once reversed, without the need for a process of public competition process 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, and provides that the lease, purchase and sale or any other current legal form will be used. For the use of the land and buildings, operators are expected to pay financial consideration proportionate to the number of tests carried out. A single payment equivalent to the book value of the equipment, machinery, or facilities on the date of reversion is made for their use. Until the process of formalising the reversion has been completed, operators using land and buildings from the former concessions continue to pay the same consideration provided for in the authorisation regime, that is, the concession fee, less the part paid as a supervision and control fee.

In May 2010, in accordance with the Territorial Plan for new vehicle roadworthiness testing stations in Catalonia, Order IUE/279/2010, of 7 May 2010, was published, opening the call for applications and approving the rules governing the public tender procedure for obtaining authorisation for the new vehicle roadworthiness testing stations provided for in the Territorial Plan approved by Decree 45/2010, of 30 March 2010.

The public tender procedure was concluded in October 2010 by Resolution IUE/3456/2010, of 22 October 2010, publishing the decision on the public tender procedure for obtaining authorisation for the new ITV stations provided for in the Territorial Plan approved by Decree 45/2010, of 30 March 2010. The results of this tender were as follows:

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

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

a) Conflict arising from the challenge to the regulatory framework.

Amongst this group of administrative appeals are those brought by the various ITV operators against the implementing regulations of Law 12/2008, of 31 July 2008, on industrial safety; namely those brought against Decree 30/2010, of 2 March 2010, which approves the implementing regulations for Law 12/2008, of 31 July 2008, on industrial safety, and Decree 45/2010, of 30 March 2010, which approves the Territorial Plan for new vehicle testing centres in Catalonia for the period 2010–2014.

The challenge was based on the allegation of a breach of Directive 2006/123/EC of the European Parliament and of the Council, of 12 December 2006, on services in the internal market, on the grounds that the envisaged mixed management model was not permissible, namely, an authorisation regime within a regulated market (with a maximum number of operators and spatial planning) in which authorisations are awarded through a competitive tendering process, coexisting with a scheme allowing existing ITV operators who met the requirements of the new model to continue operating, whilst permitting them to continue using the assets of their former concessions.



The Generalitat's position was as follows:

- Firstly, 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 existing operators, the defence was based on the fact that it was a provision contained in Law 12/2008, which the regulation merely developed.

Likewise, this group of legal challenges must include all those contesting, on the same grounds, the acts implementing the regulatory provisions.

The Ruling handed down on 25 April 2012 by the High Court of Justice of Catalonia in the administrative appeal brought by OCA INSPECCIÓN TÉCNICA DE VEHÍCULOS against Decrees 30/2010 and 45/2010 annulled numerous provisions of the regulations and the Territorial Plan in its entirety, on the grounds that the Services Directive in the Internal Market was fully applicable.

This ruling applies the doctrine contained in the Judgement of the Court of Justice of the European Union on ITV in Portugal, as well as in two other judgements close in time by the Supreme Court on the access regime of the control bodies.

Specifically, with regard to ITV, the aforementioned ruling of the High Court of Justice of Catalonia (TSJC) annuls:

- The requirement for authorisation, because the legislation does not justify it on overriding reasons relating to the public interest.
- The limitations on the number of operators (territorial plan) and, therefore, the need to hold public tender procedures.
- The requirements on financial solvency, minimum number of personnel, guarantee, authorisation of testing personnel, maximum market share and minimum compatibility distances.
- The continuity regime for existing concessionaires and use of reverted goods: by discriminatory privilege and in breach of heritage regulations.

This ruling was appealed on points of law by the companies affected (APPLUS, CERTIO, ITEVELESA and ATISAE).

The remaining administrative proceedings in this group were resolved through a series of rulings that echoed the arguments set out in the first ruling and annulled the administrative acts on the grounds that they constituted an application of the annulled provisions of Decrees 30/2010 and 45/2010, without considering any specific features of the individual proceedings.

All of these rulings were appealed on points of law by the former concessionaire companies.

The Supreme Court, in its cassation appeal against Decree 30/2010 and Decree 45/2010, issued an order in which it agreed to raise a preliminary question to the Court of Justice of the European Union on the compatibility of the legal regime of the ITV with European Union law (Services Directive in the Internal Market and Treaty establishing the European Union).

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



- The Services Directive in the Internal Market is not applicable, given that ITV is a service related to the transport sector and, therefore, the freedom to provide services under Article 58 of the TFEU does not apply.
- ITV stations do not participate in exercising public power.
 - The freedom of establishment regulated in Article 49 of the TFEU does apply: vehicle ITV stations do not exercise the functions of a public authority and, therefore, the exception to the freedom of establishment regulated in Article 51 of the TFEU does not apply.
 - The authorisation regime is compatible with EU law, provided that the requirements imposed do not constitute an obstacle to, or make less attractive, the exercise of the right of establishment.
- Restrictions on freedom of establishment are only acceptable if they comply with the following conditions:
 - They are applied in a non-discriminatory manner.
 - They are justified by reasons of public interest.
 - They are suitable to guarantee the intended purpose.
 - They do not go beyond what is necessary to achieve their objective.

On 29 March 2016, the Supreme Court issued its ruling on the appeal filed against the judgement of the High Court of Justice of Catalonia (TSJC), of 25 April 2012.

The conclusions were as follows:

- The Services Directive does not apply, since it is a transport-related service.
- It establishes the applicability of Article 49 Treaty on the Functioning of the European Union (relating to freedom of establishment).
- It does not pronounce on the authorisation regime.
- It does not analyse or pronounce on the requirements to be authorised, but annuls:
 - Maximum market share.
 - Minimum compatibility distances.
- It does not pronounce on Decree 45/2010, which regulates the Territorial Plan.
- Regarding the continuity regime, the Court annulled the second additional provision, which regulates the right to continue using assets from concessions, considering that it infringes current legislation on heritage matters. Furthermore, it maintained the possibility for former concession holders to continue being authorised without participating in a competitive bidding process.

b) Disputes arising from the public tender called by Order IUE/279/2010.

Another strand of litigation arose from CERTIO ITV, SL's challenge to the outcome of the ITV tender on procedural grounds, alleging a failure to state reasons and the use of sub-criteria that had not been published in the call for tenders.

In May 2011, the High Court of Justice of Catalonia upheld the appeal lodged by CERTIO and ordered the interim suspension of the decision awarding Lot 2 to ATISAE, thereby halting construction of the three corresponding ITV stations.

In March 2012, the Minister of Enterprise and Employment authorised ITEVELESA as owner of vehicle roadworthiness test 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 roadworthiness testing 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 January 2013, as a result of the ruling delivered in October 2012 by the High Court of Justice of Catalonia, the Supreme Court delivered issued a ruling on the appeal brought against the provisional suspension of the enforceability of Lot 2 of the tendering procedure and, consequently, on 17 January 2013, the Minister for Enterprise and Employment authorised ATISAE as the owner of vehicle roadworthiness testing stations, and three new stations on the network entered into service (Resolution EMO/1048/2013, of 6 May 2013, publishing the authorisation of the entity Asistencia Técnica Industrial, SAE [ATISAE], as the owner of a vehicle roadworthiness testing station in accordance with Decree 30/2010, of 2 March 2010, approving the Regulation implementing Law 12/2008, of 31 July 2008, on industrial safety).

On 30 October 2019, the SC issued a ruling in the appeal lodged against the Judgement of the Supreme Court of Justice of 27 April 2017 in RCA 945/2013. It summarises the existing case law on the matter as follows:

- The authorisation system introduced by the Generalitat of Catalonia for ITV services is in accordance with national and European Union law; these services are covered by the Transport Directive and are therefore excluded from the Services Directive.
- The possibility granted to former concession holders to provide the service under the new regulations, provided they meet the prescribed requirements, is also lawful.
- The direct award of assets and rights from former concessions to the holders who opt for this regime is incompatible with national legislation on public administration assets.

The conclusions were as follows:

- The annulment of Instruction 19/2012, which lays down the general criteria for the settlement of the financial consideration payable by ITV station operators for the use of the rights arising from the former concessions during the transitional regime and until the reversion process has been completed, given that this instruction implemented Order 468/2010, of 27 September 2010, which regulated that financial consideration, as well as the second additional provision of Decree 30/2010, which had already been declared null and void.
- The validation of Instruction 18/2012, given that its purpose is the settlement and justification of fees for the provision of the service.

c) The existing legal framework stems from the court rulings.

We are therefore in a situation in which the model established by Law 12/2008 of 31 July 2008 has reached an impasse and, consequently, the continuity of the ITV service in Catalonia is at risk. On the one hand, the operators authorised under the tender procedure launched by Order IUE/279/2010, of 7 May 2010, have had their authorisations annulled and cannot continue operating; on the other, the existing operators authorised under the new regime can no longer use the assets and rights arising from the previous concessions to carry out roadworthiness testing activities.

As a result of this situation, the ninth Additional Provision of Law 2/2021, of 29 December 2021, on fiscal, financial, administrative and public sector measures enabled the current authorised operators of vehicle roadworthiness tests 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 former administrative concessions and in addition, the new



system for authorising ITV stations resulting from the adoption by Parliament of the law intended to regulate the vehicle roadworthiness testing service generally entered into force.

This provision ensured the continued provision of the vehicle roadworthiness testing service pending the establishment of a new legal framework under 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 testing, 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 law regulating the legal regime applicable to the provision of the vehicle roadworthiness testing service was approved. Subsequently, a prior public consultation was launched on the regulation concerning the provision of vehicle roadworthiness testing service in Catalonia, which commenced on 17 January 2023 and ended on 2 March 2023.

Thus, the processing of the draft law regulating the provision of vehicle testing services (ITV) in Catalonia was initiated on the SIGOV platform (SIG23EMT1481) through its publication in the forum.

The process continued with its presentation to the Technical Council on 7 November 2023, in its second section, a procedure that was subsequently repeated due to changes introduced to the text following the observations received.

For this reason, the text was reviewed again by the Technical Council, on 30 January 2024, in its second section, and was processed through the request for the required reports and, in parallel, the completion of the public consultation and information procedures by publishing the Edict, of 8 February 2024, which submitted the draft law regulating the provision of vehicle technical testing (ITV) services in Catalonia to public consultation.

However, the processing of this draft law lapsed, and the file was archived due to the end of the legislative session on 10 August 2024.

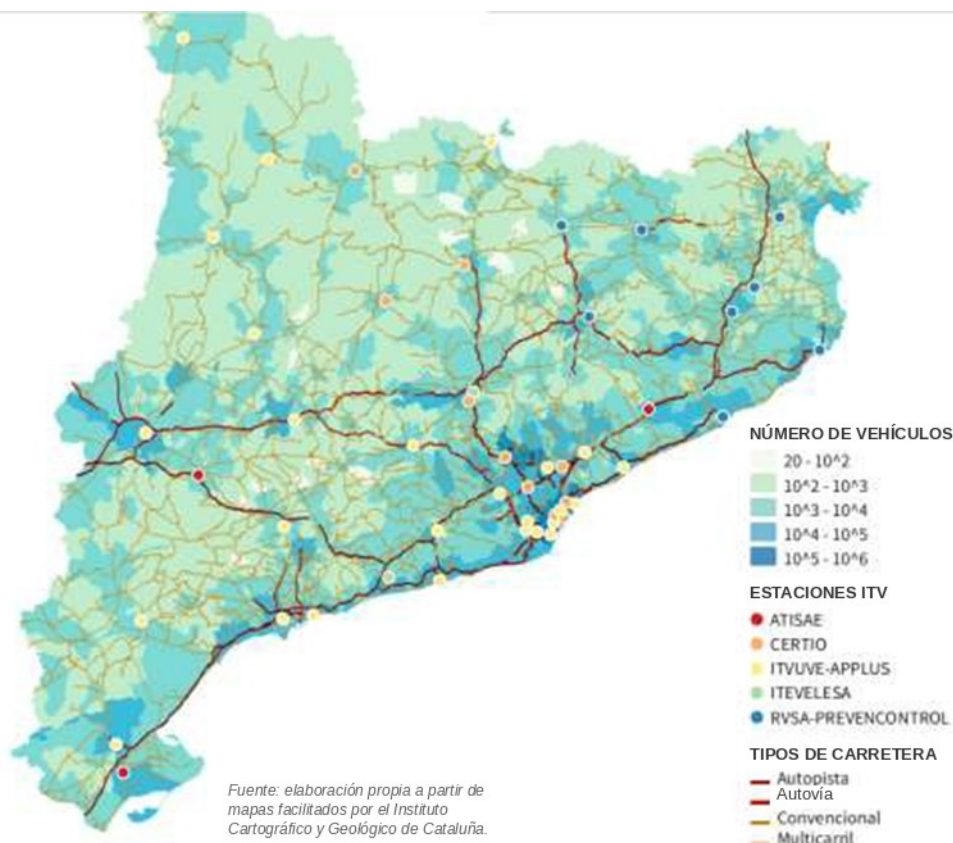
1.1.3 Difficulty for users to access the technical roadworthiness testing service of the vehicle and delay in the resolution of the procedures resolved in the ITV stations.

Another source of persistent and chronic problems affecting the vehicle roadworthiness testing system in Catalonia stems from temporary capacity constraints and the level of demand pressure on the network. This network of stations currently consists of 50 fixed establishments (with a total of 122 testing lanes), and 10 mobile stations. This infrastructure has remained unchanged over the last 10 years.

As an example of the historical evolution of this infrastructure, the following data can be cited:

1984: 13 stations (35 lanes)
1992: 27 stations (67 lanes)
2003: 44 stations (102 lanes)
2013: 50 stations (122 lanes)

Distribution of ITV stations and concentration of vehicles in Catalonia:



Numero de vehículos	Number of vehicles
Estaciones de ITV	ITV stations
ATISAE	ATISAE
CERTIO	CERTIO
ITVUVE-APPLUS	ITVUVE-APPLUS
ITEVELESA	ITEVELESA
RVSA-PREVENCONTROL	RVSA-PREVENCONTROL
TIPOS DE CARRETERA	ROAD TYPES
Autopista	Motorway
Autovía	Dual carriageway
Convencional	Conventional
Multicarril	Multi-lane
Fuente: elaboración propia a partir de mapas facilitados por el Instituto Cartográfico y Geológico de Cataluña	Source: Prepared by the author using maps provided by the Cartographic and Geological Institute of Catalonia

Operator	Province	District	SSTT	Station	Lanes
APPLUS	B	Barcelonès	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	Barcelonès	Barcelona	B-10 Puigmadrona	2
APPLUS	B	Baix Llobregat	Barcelona	B-11 Cornellà	3
APPLUS	B	Anoia	Barcelona	B-12 Igualada	2
APPLUS	B	Barcelonès	Barcelona	B-14 Diputació	2
APPLUS	B	Barcelonès	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	Vallès Occidental	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 Vilamallà	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 roadworthiness tests 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 tests, but the technological evolution of both vehicles and testing systems means that testing procedures are constantly being revised. This development is reflected in the continuous and constant revision of the Vehicle Roadworthiness Testing Procedure Manual (27 versions have been published since 2002), which means that there are an increasing number of items to check during each test, such as the inclusion of emission control systems, on-board diagnostic systems and, in the near future, automatic emergency call systems fitted to new vehicles, amongst others. The inclusion of these new elements alongside the traditional components of the test, such as the steering, braking, suspension and signalling systems, amongst others, increases the time required to carry out the test.

This situation results in constant and ongoing complaints due to the difficulties faced by private users in accessing ITV services (with dozens of complaints lodged each year with the bodies of the Generalitat of Catalonia responsible for industrial safety, the Síndic de Greuges and the Catalan Consumer Agency), as well as from associations representing the various sectors affected (hauliers, taxi drivers and farmers, amongst others), which makes it extremely difficult



to secure a roadworthiness test appointment, particularly in the most densely populated zones or those with the highest levels of economic activity.

This situation gives rise to different issues:

- For private users, additional inconvenience, as well as the road-safety risk posed by driving vehicles whose roadworthiness test has expired.
- For the productive sector, this represents a waste of resources and business inefficiencies, in addition to the problems already mentioned for private users.
- For the vehicle testing system itself in Catalonia, it represents an increase in complaints and claims and a decline in the image of this service, which is often not perceived by its users as useful and necessary, compounded by a lack of efficiency in its delivery.

This state of stagnation within the system makes it essential to find a solution that will break the current deadlock.

1.1.4 High levels of non-compliance with the requirement to undergo ITV testing and a public perception that the testing provides little individual or social benefit.

In general, vehicle roadworthiness testing is not viewed particularly positively by the public, despite its purpose of safeguarding road safety and improving the environmental performance of the vehicle fleet.

There are several reasons for this non-compliance:

- Lack of information to citizens concerning:
 - The specific objectives pursued by the test.
 - The aspects being revised.
 - The impact of vehicle roadworthiness tests on road safety.
 - The effect of its absence on road safety and the environment.
- The effort that, in general and especially for certain groups, can involve the time and dedication they must invest to fulfil this obligation, taking them away from their own productive activity. This is linked to the problems outlined above and means that both the time spent arranging an appointment (currently quite difficult in certain geographical zones) and the time spent on the vehicle roadworthiness test itself are perceived more as an administrative obligation, and even as a waste of public resources, than as a service intended to ensure the safety of vehicle users and road safety in general.
- The application of different technical criteria between network stations. This situation may be due to several causes:
 - The inherent complexity of the aspects that must be inspected, for which there may not be unequivocal guidelines, leading testing personnel to apply their own judgement in each case based on their knowledge, experience, and the specific circumstances.
 - The testing entity's operational interests in avoiding the loss of customers.This situation generates confusion in users and mistrust in the technical rigour of the test.
- Users are given the visual impression that the test is carried out by a private entity, without it being apparent at the stations that responsibility for the service as a whole rests with the Administration and that this responsibility guarantees the technical rigour with which the tests are carried out.



All of this results in:

- Increasingly frequent complaints about the service's operation to the relevant bodies of the Generalitat of Catalonia, the Ombudsman, or directly to the responsible councillor. 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 test.
- Significant non-compliance with the obligation to undergo vehicle roadworthiness tests by certain groups: the trade association representing vehicle roadworthiness test companies estimates this non-compliance at 20 % of the vehicle fleet and, according to data from the Mossos d'Esquadra, an average of 3,000 vehicles per month are detected on Catalan roads without a valid ITV certificate, despite the absence of any campaigns specifically aimed at tackling this non-compliance.
- Aggressive, violent and inconsiderate attitudes towards the testing and administrative personnel at ITV stations.

1.2 Objectives to be achieved.

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

	<i>General objectives</i>	<i>Specific objectives</i>
1	Guarantee legal certainty in the application of ITV regulations by creating a solid legal framework that resolves the current situation of legal precariousness produced as a result of the rulings that affect the provisions currently in force.	Replace the current regulation of the vehicle technical testing service in Catalonia with a new legal regime that provides guarantees and legal stability to the sector.
2	To ensure the quality of the roadworthiness testing service, specifically that the service is provided adequately throughout the country, that there is free choice of operator, and that measures are taken to promote environmental sustainability. This involves improving the provision of the ITV service across the network of testing centres, guaranteeing minimum service standards, taking into account the specific needs of different types of users, and ensuring the service is available in sparsely populated zones.	Define 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 zones, linked to the opening of centres in more economically attractive zones.
3	Creating a legal coverage that allows an agile and flexible adaptation of the legal framework to future developments in the vehicle roadworthiness tests.	Design a legal system that allows for rapid review, adaptation, and implementation of modifications to the variables that affect service delivery.
4	Reduce non-compliance with the requirement to undergo ITV testing.	Increase 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 the regulatory options.

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

- First, 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 roadworthiness testing 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 allows us to understand the reasons behind the decisions made, as well as the options that were discarded.

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 roadworthiness test market, the following are identified:

- *Take no action (maintain the current status quo).*
- Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.
- Administrative determination of the specific conditions governing service provision and the location of testing centres through the establishment of a restricted-access market for the activity, subject to territorial planning.
- Administrative decision setting out the specific conditions for the provision of services and the conditions for ensuring adequate territorial coverage through the establishment of a market offering free access to the activity, taking territorial considerations into account.

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 roadworthiness testing.

Based on the provisions of section 21 of Article 149(1), of the Spanish Constitution, the State has exclusive competence in matters relating to traffic and the operation of motor vehicles.

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

In accordance with Article 14, 'Requirements for ITV stations', the material implementation of roadworthiness testing 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 the concession or authorisation regime.



This same precept establishes the different requirements that ITV stations must meet, which are the following:

- Those provided for in Annex IV of the Royal Decree itself, relating to:
 - General requirements.
 - Quality requirements of the roadworthiness testing service.
 - Requirements for vehicle roadworthiness testing.
 - Requirements relating to users of the service.
 - Requirements relating to the documentation generated at the ITV station.
- The accreditation of ITV stations in accordance with UNE-EN ISO/IEC 17020 as third-party testing entities for vehicle roadworthiness testing, carried out by the Spanish National Accreditation Body (ENAC).
- Compliance with the regime of incompatibilities that the autonomous communities themselves may establish. It adds that, in any event, the organisations operating ITV stations may not form part of legal entities or be linked to separate legal entities whose activities consist of:
 - Road transport.
 - Trade in motor vehicles.

According to Article 21, 'Authorisation of 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, Article 12, 'Testing centres', of Directive 2014/45/EU of the European Parliament and of the Council, of 3 April 2014, on periodic roadworthiness testing for motor vehicles and their trailers provides that testing centres in which inspectors carry out roadworthiness tests shall be authorised by a Member State or by its competent authority. This means that the Directive requires the competent authority to play an active role in the authorisation of testing centres and, in the case of Spain, Royal Decree 920/2017 gives the autonomous communities the freedom to define the management model.

In short, the Generalitat of Catalonia is competent to define the management model of the ITV service, respecting the requirements provided for in article 14 of Royal Decree 920/2017, as well as the procedure for access to the activity of the testing centres. On the other hand, the definition of a management model that includes the authorisation of testing centres is mandatory for the Generalitat, in accordance with the provisions of the European Union regulations and Royal Decree 920/2017 that transposes it, as just stated.

1.3.2 Regulatory options according to the intervention of the Administration in the vehicle roadworthiness test market.

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

1. *Take no action.*

This option would mean maintaining the current situation, which is characterised by legislation that has been challenged and largely overturned by various court rulings, as well as a service under severe pressure in certain zones due to the shortfall in supply relative to the demand for tests. This option therefore entails maintaining the current status, with all the problems referred to in the preceding paragraphs.



2. *Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.*

This option implies allowing free access to the activity to any operator that meets the requirements and incompatibilities provided for in Royal Decree 920/2017 mentioned above and that has obtained prior authorisation from the competent body of the Generalitat of Catalonia, based on the conditions indicated. It would also entail removing the cap on the tariffs freely set 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 the testing centres.*

This option, on the one hand, adapts the conditions applicable to ITV operators providing the service to the specific characteristics and current needs of the activity in Catalonia and, on the other, addresses the establishment of ITV stations by providing for their prior determination by the Administration on the basis of an analysis of demand for the service. This option provides for establishing maximum amounts for the fees applied for the same service in all stations in the territory, as well as the obligation that the rate applied by each operator for the same service is identical in 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 the specific conditions of provision and the conditions to guarantee sufficient territorial and sectoral coverage.*

This option, like the previous one, foresees establishing the conditions applicable to ITV operators that provide the service to the specific characteristics and the current needs of the activity in Catalonia. However, it addresses the question of establishing ITV stations by defining the conditions that must be met in order to ensure, automatically, that the service is provided throughout the territory and that all social and professional sectors affected by ITV services are covered. This option allows operators to be free to set their own prices, without prejudice to the Generalitat's power to set fixed tariffs or maximum amounts where it is found that free competition between service providers is not functioning properly, or where circumstances arise based on the fact that the ITV service is a service of general economic interest. 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 Generalitat, following the processing of the relevant draft decree, in accordance with the provisions of Chapter VII of Title II of Law 13/2008, of 5 November 2008, on the Presidency of the Generalitat and the Generalitat, as well as Title IV of Law 26/2010, of 3 August 2010, on the legal regime and procedures of the public administrations of Catalonia.
- Decree-Law. This instrument requires its approval and publication by the Generalitat, as well as its communication to Parliament, in accordance with the provisions of Chapter VII of Title II of Law 13/2008, of 5 November 2008, of the Presidency of the Generalitat and the Generalitat. Once presented to Parliament, it must be validated or repealed within a maximum period of 30 days from the date of its promulgation, in accordance with the provisions of the Statute of Autonomy of Catalonia.



- Law. This instrument requires the Generalitat to adopt a draft law to be submitted to Parliament, in accordance with the provisions of Chapter VII of Title II of Law 13/2008, of 5 November 2008, on the Presidency of the Generalitat and the Generalitat. Once in Parliament, the draft law will be debated by the different parliamentary groups, which will rule on its appropriateness, on the principles and criteria on which the proposal is based and on any amendments that may be presented. Once the entire legislative debate procedure has been completed, the proposal will be put to a vote in Plenary for approval or rejection, in accordance with the provisions of the Statute of Autonomy of Catalonia.



2. Analysis of the impacts of the options considered.

2.1 Budgetary impact report.

The analysis of the budgetary impact tries to identify the impact that each of the different existing alternatives to address the problem that is intended to be resolved through public intervention in this matter has on the monetary resources that can influence, in terms of income and expenses, the budget of the Generalitat of Catalonia.

2.1.1 Regulatory alternative: Take no action.

This option involves maintaining the current status of the management model. As indicated above, the current model is in a situation of legal instability, since the regulation has largely been annulled by judicial means as a consequence of the conflict described above.

Therefore, if it were decided not to regulate, hypothetically there could be the possibility that some European institution would consider it necessary to remedy the situation and initiate a pilot procedure that could lead to an economic sanction for the Kingdom of Spain, which could subsequently be passed on to all the autonomous communities that did not have their regulations updated, a possibility that is considered non-existent.

Therefore, given that this possibility is not considered due to its remoteness, it is understood that this regulatory alternative would not have any additional impact on the Generalitat's revenue or expenditure budgets.

2.1.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

This option effectively allows free access to the activity for those who meet the requirements and incompatibilities stipulated in Royal Decree 920/2017 and obtain prior authorisation from the competent body of the Generalitat of Catalonia, resulting in a situation of free access to the activity.

The budgetary effects that may occur are as follows:

- Revenue budget. There would be no change, given that the current revenues in the Generalitat from the activity derives from:
 - The fees applicable to the activity; in this sense, there would be no variation, but a distribution of the activity among the new operators.
 - 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.
- 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 testing centres. A scenario such as this, which does not establish significant barriers to entry, would allow or a rapid and substantial increase in operators and testing centres, especially in the most densely populated districts of Catalonia. Within a 10-year timeframe, approximately 20 additional operators and some 55 new stations could emerge. This model would generate a



high initial demand for authorisation applications during the first two years, accompanied by a significant number of closures until the market reaches equilibrium. Subsequently, applications for new stations would gradually decrease until stabilizing within a 10-year period. This situation would require a minimum increase of six personnel: two administrative personnel and four technical personnel.

2.1.3 Regulatory alternative: Administrative determination of the specific conditions for service provision and location of testing centres through restricted access to activity with territorial planning.

This option involves maintaining the existing network of stations and, where necessary, determining the need to expand it and establishing the corresponding locations, complying with the requirements and incompatibilities stipulated in Royal Decree 920/2017, as well as those determined by Catalan regulations, and with prior authorisation from the competent body of the Generalitat of Catalonia.

This eventuality is already foreseen in current legislation, but the criteria for considering network expansion necessary and the locations where it should take place have not been determined. Therefore, establishing 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 offering and influences users' choices based on geographical proximity.

The budgetary effects that may occur are as follows:

- *Revenue budget.*
 - Revenue from applicable fees would not be affected, as there would be no additional changes to the current situation, but rather a redistribution of activity among the new operators.
 - 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.
- *Expenditure budget.* The expenditure budget would be affected by the need to determine the territorial planning criteria and, if necessary, the expansion of the network. This is an analysis that is far from trivial, requiring an objective and impartial study by experts outside the Administration (and obviously the ITV operators). This situation would require a minimum increase in human resources of three personnel: one administrative personnel and two technical personnel.

2.1.4 Regulatory alternative: Administrative determination of the specific service conditions and the conditions to guarantee sufficient territorial and sectoral coverage through 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, the requirements laid down in Catalan legislation include territorial weighting conditions that link the provision of testing capacity in zones with large vehicle fleets to the obligation to provide testing capacity in zones with small vehicle fleets.

The budgetary effects that may occur are as follows:

- *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 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.
- *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 testing centres. Such a scenario, which counterbalances the opening of new centres simultaneously in economically attractive and less attractive zones, allows for an increase in operators and testing 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. This model entails a natural adaptation to the evolution of demand and, consequently, a more stable situation in the medium and long term regarding the closure and opening of new stations. In the short term, approximately 10 additional operators and 25 new stations could appear, and in the medium and long term, the situation could stabilize with a network of six more operators and 15 more stations than at present. This situation would require a minimum increase of six personnel: two administrative personnel and four technical personnel.

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

Alternatives:

- A.1: Take no action.
- A.2: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.
- A.3: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.
- A.4: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

		<i>Revenue budget</i>	<i>Expenditure budget</i>
A.1			
A.2		Authorisation application fees (57 files) (*)	Increase in personal resources (2 administrative personnel + 4 technical personnel)
A.3		Authorisation application fees (15 cases) (**)	Increase in personal resources (1 administrative personnel + 2 technical personnel) Administrative contract for the determination of territorial planning criteria
A.4		Authorisation application fees (37 cases) (**)	Increase in personal resources (2 administrative personnel + 4 technical personnel)

(*) 57 new authorisation files under alternative A.2 over a 10-year period: an estimated 40 new authorisation files during the first two years, nine between the third and fifth years, and eight between the sixth and tenth years.

(**) 15 new authorisation applications under alternative A.3 over a 10-year period: 10 new authorisation applications are estimated for the first two years, none between the third and fifth years, and five between the sixth and tenth years.

(***) 37 new authorisation applications under alternative A.4 over a 10-year period: an estimated 20 new authorisation applications are expected during the first two years, 12 between the third and fifth years, and five between the sixth and tenth years.

The economic values of the various budgetary impacts are as follows:

- Application fees (€3,800/application).
- Administrative personnel resources (€19,000/person year) (10 years).
- Technical personnel resources (€25,000/person year) (10 years).
- Administrative contract to determine territorial planning criteria (€100,000). Administrative contract by determination of territorial planning criteria (€100,000).

		<i>Revenue budget</i>	<i>Expenditure budget</i>
A.1		€0.00	€0.00
A.2		€216,600.00	€1,380,000.00
A.3		€57,000.00	€790,000.00
A.4		€140,600.00	€1,380,000.00

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

The eventual modification of the legal regime of the ITV service has a non-homogeneous impact over time with regard to administrative burdens. In some of the alternatives, the administrative burdens have a greater impact and relevance in the initial phases. In this regard, it is expected that the situation will stabilize within a 10-year timeframe.

A.1 Regulatory alternative: Take no action.

This alternative does not generate new administrative burdens. Consequently, it has a zero deployment cost, as it would maintain the current station network unchanged.

A.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

From an administrative perspective, this alternative generates an additional burden: new stations created and those closed will require the processing of the corresponding administrative authorisation procedures, which will be relatively simple. In a free market, the rate of station openings and closures, especially at the beginning of the model's implementation, will be high, with the corresponding administrative costs involved.

In addition, this option will require amending the existing regulations governing the current service provision regime through another legislative provision.

In the short term (during the first two years):

- Managing the modification of the current law (Public Administration cost: low).
- Management of applications for authorisation to open ITV stations (volume: high [20 applications/year]; business administrative burden: medium; cost to the public administration: low).
- Management of authorisation files for the closure of ITV stations (volume: high [8 files per year]; administrative burden on businesses: high; cost to the public administration: high).

		burden	files	days	persons	
Amendment to the current law						
	Public-administration	low	1	25		€6,415.00
File for authorisation to open ITV						
	Administrative burden on	medium	40	30	3	€450,000.00
	Public-administration	low	40	4		€41,056.00
File for authorisation to close ITV station						
	Administrative burden on	high	16	50	3	€300,000.00
	Public-administration	high	16	20		€82,112.00
						€879,583.00

Between the third and fifth year:

- Management of applications for authorisation to open ITV stations (volume: medium [3 applications/year]; administrative burden on businesses: medium; cost to the public administration: low).
- Management of applications for authorisation to close ITV stations (volume: low [1 application per year]; administrative burden on businesses: high; cost to the public administration: high).

			files	days	persons	
File for authorisation to open ITV						
	Administrative burden on	medium	9	30	3	€101,250.00
	Public-administration	low	9	4		€9,237.60
File for authorisation to close ITV station						
	Administrative burden on	high	3	50	3	€56,250.00
	Public-administration	high	3	20		€15,396.00
						€182,133.60

Between the sixth and tenth year:

- Processing of applications for authorisation to open ITV stations (volume: 2 applications/year; business administrative burden: medium; cost to the public administration: low).
- Management of applications for authorisation to close ITV stations (volume: 1 application/year; business administrative burden: high; cost to the public administration: high).

			files	days	persons	
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File for authorisation to open ITV						
	Administrative burden on	medium	8	30	3	€90,000.00
	Public-administration	low	8	4		€8,211.20
File for authorisation to close ITV station						
	Administrative burden on	high	4	50	3	€75,000.00
	Public-administration	high	4	20		€20,528.00
						€193,739.20

A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

This regulatory alternative entails a much slower rate of station opening and closing than the previous one, but managing the tenders to expand the network will entail a very considerable administrative burden, as will managing the authorisations for new stations, which will be of moderate 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 (during the first two years):

- Management of modification to the current law (cost to the public administration: high).
- Management of the contract process for the network expansion study (administrative burden on businesses: medium; cost to the public administration: medium).
- Management of the tender process for awarding new stations (administrative burden on businesses: medium; cost to the public administration: high).
- Management of applications for authorisation to open ITV stations (volume: medium [5 applications/year]; administrative burden on businesses: medium; cost to the public administration: low).

		burden	files	days	persons	
Amendment to the current law						
	Public-administration	high	1	375		€96,225.00
Contract for network expansion study						
	Public-administration	medium	1	60		€15,396.00
	Administrative burden on	medium	1	125	3	€46,875.00
Tender for new stations						
	Public-administration	high	1	250		€64,150.00
	Administrative burden on	high	1	400	3	€150,000.00
File for authorisation to open ITV						
	Administrative burden on	medium	10	30	3	€112,500.00
	Public-administration	low	10	4		€10,264.00
						€495,410.00

Between the third and fifth year:

- No administrative burdens are anticipated.

After five years, the new needs must be defined.

Between the sixth and tenth year:

- Management of the contract process for the network expansion study (cost to the public administration: medium).
- Management of the tender process for awarding new stations (business administrative burden: high; cost to the public administration: high).
- Management of applications for authorisation to open ITV stations (volume: low [1 application/year]; administrative burden on businesses: medium; cost to the public administration: low).

		burden	files	days	persons	
Contract for network expansion study						
	Public-administration	medium	1	60		€15,396.00
	Administrative burden on	medium	1	125	3	€46,875.00
Tender for new stations						
	Public-administration	high	1	250		€64,150.00
	Administrative burden on	high	1	400	3	€150,000.00
File for authorisation to open ITV						
	Administrative burden on	medium	5	30	3	€56,250.00
	Public-administration	low	5	4		€5,132.00
						€337,803.00

A.4 Regulatory alternative: Administrative decision setting out the specific conditions for the provision of services and the conditions for ensuring adequate territorial coverage through the establishment of a market offering free access to the activity, taking territorial considerations into account.

This regulatory alternative represents a significantly faster rate of opening and closing than the previous alternative, although substantially slower than the open access model. In this case, the management of authorisations, which will be highly complex, must also be considered an administrative burden.

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 (during the first two years):

- Management of modification to the current law (cost to the public administration: high).
- Management of applications for authorisation to open ITV stations (volume: medium [10 applications/year]; administrative burden on businesses: medium; cost to the public administration: low).

- Management of authorisation files for the closure of ITV stations (volume: low [0.5 files per year]; administrative burden on businesses: high; cost to the public administration: high).

		burden	file	d.	persons	
Amendment to the current law						
	Public-administration management cost	high	1	375		€96,225.00
File for authorisation to open ITV station						
	Administrative burden on businesses	medium	20	30	3	€225,000.00
	Public-administration management cost	low	20	4		€20,528.00
File for authorisation to close ITV station						
	Administrative burden on businesses	high	1	50	3	€18,750.00
	Public-administration management cost	high	1	20		€5,132.00
						€341,753.00

Between the third and fifth year:

- Management of applications for authorisation to open ITV stations (volume: low [4 applications per year]; administrative burden on businesses: medium; cost to the public administration: low).
- Management of authorisation files for the closure of ITV stations (volume: low [0.33 files per year]; administrative burden on businesses: high; cost to the public administration: high).

			files	days	persons	
File for authorisation to open ITV						
	Administrative burden on	medium	12	30	3	€135,000.00
	Public-administration	low	3	4		€3,079.20
File for authorisation to close ITV						
	Administrative burden on	high	1	50	3	€18,750.00
	Public-administration	high	1	20		€5,132.00
						€161,961.20

Between the sixth and tenth year:

- Management of applications for authorisation to open ITV stations (volume: low [1 application/year]; administrative burden on businesses: medium; cost to the public administration: low).
- Management of authorisation files for the closure of ITV stations (volume: high [0.2 files per year]; administrative burden on businesses: high; cost to the public administration: high).

			files	days	persons	
File for authorisation to open ITV						

	Administrative burden on	medium	5	30	3	€56,250.00
	Public-administration	low	5	4		€5,132.00
File for authorisation to close ITV						
	Administrative burden on	high	1	50	3	€18,750.00
	Public-administration	high	1	20		€5,132.00
						€85,264.00

2.2.2 Comparative summary of regulatory impact.

Alternatives:

- A.1: Take no action.
- A.2: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.
- A.3: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.
- A.4: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

	<i>Administrative burdens</i>	<i>Costs of administrative burdens</i>
A.1	None	€0.00
A.2	- Managing the modification of the current law (Public Administration cost: low). - Processing of applications for authorisation to open ITV stations (administrative burden on businesses: medium; cost to the public administration: low) - Management of applications for authorisation to close ITV stations (administrative burden on businesses: high; cost to the public administration: high)	€1,255,455.80
A.3	- Management of modification to the current law (cost to the public administration: high). - Management of the contract process for the network expansion study (administrative burden on businesses: medium; cost to the public administration: medium). - Management of the tender process for awarding new stations (administrative burden on businesses: medium; cost to the public administration: high). - Processing of applications for authorisation to open ITV stations (administrative burden on businesses: medium; cost to the public administration: low)	€833,213.00
A.4	- Management of modification to the current law (cost to the public administration: high). - Processing of applications for authorisation to open ITV stations (administrative burden on businesses: medium; cost to the public administration: low)	€588,978.20



	- Management of applications for authorisation to close ITV stations (administrative burden on businesses: high; cost to the public administration: high)	
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2.3 Report on gender impact.

The ITV service is aimed at the entire population owning vehicles subject to roadworthiness testing. This population is very large and heterogeneous, depending on the type of vehicle. The users of the ITV service for private vehicles are highly diverse and, consequently, form a very heterogeneous group. By contrast, users of the service for vehicles employed in professional sectors (passenger transport, freight transport, agriculture and services, among others) are predominantly male.

The personnel involved in providing the ITV service are mainly male, particularly those who are directly involved in carrying out the roadworthiness tests in the testing lanes. With regard to personnel dedicated to administrative management, the distribution of personnel by gender is more balanced 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 the problems that need to be resolved.

The public intervention in regulating the regime of provision of the ITV service in Catalonia is determined by the existence of several problems of different origins:

1. The legal uncertainty surrounding the current regulatory framework following its annulment by court rulings, which call into question the legality of the activities of all operators providing a service defined by the EU as being of general interest.
2. The detection of deficiencies in the service provided by the current network of ITV stations, which creates difficulties in scheduling certain services for economically significant groups and delays in processing administrative procedures at the ITV stations.
3. The difficulty of adopting quick and agile solutions in the face of changing circumstances in the context that affect service delivery.
4. The high level of non-compliance with the obligation to have vehicles undergo roadworthiness tests and users' perception that the service has little social value.

2.4.2 Participants in the provision of the ITV service.

The vehicle roadworthiness testing service directly affect a large segment of the general population and all productive economic sectors. In this regard, the following participants directly



affected by this activity can be identified:

- Users of the ITV service for the purpose of:
 - Passing the regulatory vehicle roadworthiness tests.
 - Those who carry out administrative procedures at testing stations due to certain circumstances involving vehicle modifications, their use, or vehicle documentation.

The following can be identified among the service users:

- The general population who own vehicles (generally, private owners of cars, mopeds, and motorcycles).
- Owners of vehicles used as a work tool. Within this group, the following sectors can be specifically identified:
 - Vehicles used for passenger transport in general. Within this sector, a distinction can be made between:
 - Vehicles used for public transport.
 - Vehicles used for private transport (for which professional associations exist).
 - Vehicles used for private transport (taxis and private-hire vehicles (VTCs)) for which associations and trade unions exist.
 - Vehicles used for goods transport (for which professional associations exist).
 - Vehicles used for agricultural activities (for which professional associations exist).
 - Special-purpose works vehicles.
 - Vehicles used for other commercial activities.
 - Vehicles used by the security forces and fire services.
- Dealers of imported vehicles.
- Entities that own vehicle roadworthiness testing service. Within these entities, a distinction should be made between:
 - Entities that currently provide the ITV service in Catalonia.
 - Entities that do not currently provide the ITV service in Catalonia but do so elsewhere in Spain or abroad.
- Vehicle repair garages, as entities in which:
 - Defects identified during vehicle roadworthiness tests can be rectified.
 - Certifications for the installation or removal of certain elements in the vehicle must be issued.
- Traffic authorities:
 - Police forces with powers in matters of traffic: responsible for ensuring that vehicles circulating on public roads comply with the obligations established by the regulations.
 - Directorate-General for Traffic (DGT): the authority responsible for the General Vehicle Register, which records all the tests and other actions carried out on vehicles.
- Industrial safety authority: responsible for ensuring that the tests and other actions carried out at ITV stations comply with the applicable specific legislation and for guaranteeing users the established conditions for provision of the service.

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 focuses on the following issues:

	<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 for different types of users	x	x	
The balance and territorial coverage of the ITV service	x	x	
The control and supervision of the activity by the Administration		x	
The environmental sustainability and energy efficiency of the ITV service	x		x
The technical quality of the actions carried out at the ITV stations	x	x	x

In this regard, the characteristics of the different alternatives mentioned in Section 1.2.3 that affect the variables of economic, social and environmental analysis are the following:

A.1 Regulatory alternative: Take no action.

- Existence of a network derived from territorial planning of the 1980s, with a small expansion in 2013.
- Establishment of specific conditions for the provision of the service and additional specific requirements for the ITV station establishments.
- Establishment of maximum fees for different services, not revised since 2009.
- Requirement to apply the fee that the same operator decides to apply for each service throughout the network of stations of the same operator.

A.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of 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 the prices of the services offered.

A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

- Administrative planning for the expansion or modification of the station network.



- Establishment of specific conditions for the provision of the service and additional specific requirements for the ITV station establishments.
- Establishment of maximum fees for the different services.
- Requirement to apply the fee 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 the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

- Freedom of establishment of stations at any location in the territory, with the fulfilment of territorial-weighting conditions.
- Establishment of specific conditions for the provision of the service and additional specific requirements for the ITV station establishments.
- Establishment of maximum fees 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 testing lanes. Current operators are free to set the price of their services, albeit within the maximum rate limits. Regarding the cost of carrying out the different operations, these fees do not generate the same economic return, since certain operations offer greater profitability considering the relationship between fee and resources used.

In any case, since the beginning of this model, the operators in the market have applied the regulated maximum fees.

The geographical location of the stations derives from the territorial planning carried out in the early 1980s with the addition of six stations in 2012 based on an expansion of the existing territorial plan. This network distribution, combined with the behaviour patterns of service users, who tend to go to the nearest station – especially in a market where there is no incentive to compete on price – fosters the existence of "quasi-monopolistic markets."

A.1 Regulatory Alternative: Take no action.

In this case, which reflects the current situation – given the strong demand for all types of tests, whether more or less profitable – service providers tend to focus their offerings on the most profitable products at the expense of the less profitable ones, with the aim of capturing the market for requests for the products offering the highest financial return.

Simply put, it can be concluded that the most profitable products are the periodic roadworthiness testing of passenger cars and motorcycles, while the low-profitability products are especially the following:

- Roadworthiness testing on passenger transport vehicles.



- Roadworthiness testing on heavy goods vehicles.
- Roadworthiness testing of agricultural vehicles.
- Administrative procedures related to major modifications.

The least profitable activities particularly affect professional sectors, with the resulting inefficiency impacting the individual finances of companies and the economy of society as a whole.

A.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

The combination of factors under this option will have an impact on supply and demand in the ITV service market. Given the distribution of the vehicle fleet in Catalonia, service providers can be expected, in the short term, to concentrate supply (by opening stations) in the most densely populated parts of the territory (Barcelonès, Baix Llobregat, Vallès Occidental, Vallès Oriental and Maresme), where there will be strong price competition, while many sparsely populated districts could be left without an ITV service.

Modifying the current legislation in this regard would entail the elimination of the maximum rate and, consequently, the various agents could compete on price to attract customers. It should be noted that this competition to offer the lowest price, in the regions where it takes place (the Community of Madrid and the Region of Murcia) has led to a relaxation of the standards of rigour and quality in the procedures carried out (such as tests and administrative formalities).

A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

The combination of factors in this alternative has an impact on the ITV service supply and demand market. Initially, it would involve maintaining the existing network of ITV stations and would require, first and foremost, determining the criteria for studying and analysing potential network expansion needs in order to decide, if necessary, the number and locations of the new ITV stations. The determination of these criteria is not without different interpretations regarding how the number of stations should be established and how their location should be determined; moreover, both variables influence each other.

This option continues to rely on a de facto assignment of vehicles registered in a given zone to the nearest ITV station, taking the behaviour patterns of service users into account.

A.4 Regulatory alternative: Administrative decision setting out the specific conditions for the provision of services and the conditions for ensuring adequate territorial coverage through the establishment of a market offering free access to the activity, taking territorial considerations into account.

The combination of the factors involved in this option has an impact on the supply and demand for ITV services, which, in practice, means that the existing network of testing centres will initially be maintained, given that the operators currently authorised in Catalonia meet the territorial weighting requirements to a fairly high degree. At the same time, it allows for the opening of new stations where demand is higher, preventing the depletion and relocation of establishments from zones of lesser economic interest to more attractive zones, thanks to the counterbalance represented by the opening of stations in less attractive zones when the service



offering is opened or expanded in the most attractive zones, according to the territorial weighting criteria.

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

Characteristics of the variable in the current context.

Access to the service is determined by the offerings that service providers make available to users. Given the high demand relative to the available supply, these entities can direct it towards the most profitable products and discretionally select their clientèle, since there are neither provisions explicitly prohibiting this practice nor effective mechanisms to control it.

Consequently, for sectors and professional actors with less influence (such as SMEs) the service offering is more limited, and therefore, access is more difficult than for other users.

A.1 Regulatory alternative: Take no action.

In this case, which corresponds to the current situation, the difficulty of accessing the service for all users in general (much more pronounced in the most densely populated zones and among groups with less influence) will persist and worsen with the continuous increase in demand. This is due to the natural growth of the vehicle fleet and the fact that there is currently both economic uncertainty and uncertainty regarding the technology to be chosen when purchasing a vehicle, which leads to a progressive ageing of the fleet and, consequently, to an increase in the testing frequency of the vehicles registered.

A.2 Regulatory alternative: Administrative determination of the service provision conditions through the establishment of a free market for the activity.

The combination of factors in this alternative has an impact on access to the ITV service, since it will be the private initiative itself that evaluates the economic viability of opening stations on the basis of expected demand, fixed and variable activity costs and the prices of its services. In the short term, this option may lead to a shift and concentration of service offerings in the most economically profitable zones, where there would be strong price competition, and a foreseeable reduction in offerings in zones with lower demand, where service prices would likely increase. In the medium and long term, this situation is expected to evolve toward a more stable scenario in which the market sets service prices differently in each zone, based on the relationship between supply and demand.

A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

The combination of factors for this alternative has an impact on the access to the ITV service, which, once a territorial planning has been defined that actually increases the service supply



sufficiently, can help absorb the excess demand. If territorial planning proves insufficient, problems of access to services will persist, albeit with varying intensity.

A.4 Regulatory alternative: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

The combination of factors in 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 the gradual absorption of excess demand in certain zones. This should allow for a progressive absorption of excess demand in certain zones. Furthermore, it will allow service prices to be adjusted to reflect actual production costs based on location, while respecting the maximum fees.

2.4.3.3 Balance and territorial coverage of the ITV service.

Characteristics of the variable in the current context.

The geographical location of the stations stems primarily from territorial planning carried out in the early 1980s, with the expansion resulting from 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. Currently, there are 50 stations available, with 122 testing lanes. From the outset, the territorial distribution of the network aimed to ensure that there were vehicle ITV stations in every district. 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 roadworthiness test 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 roadworthiness test. Therefore, until this new legal framework for the service is approved, the existing network cannot be modified.

A.1 Regulatory alternative: Take no action.

In this case, the current network of stations would be maintained. This network covers quite a lot of the territory (only five districts 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: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

The combination of factors in this approach impacts the balance and territorial coverage of the ITV service. Given the size of the territory and the heterogeneity of population distribution, and consequently, the vehicle fleet, there is a tendency for stations to relocate from sparsely populated zones to more densely populated ones. The only incentive to maintain or open stations in the former would be economic rebalancing through price increases.



A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

The combination of factors in 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, will allow it to be increased if said planning foresees expanding the network.

A.4 Regulatory alternative: Administrative decision setting out the specific conditions for the provision of services and the conditions for ensuring adequate territorial coverage through the establishment of a market offering free access to the activity, taking territorial considerations into account.

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 zones and in the less populated zones, with particular relevance in the districts that currently do not have an ITV station.

2.4.3.4 Control and supervision of the activity by the Administration.

Characteristics of the variable in the current context.

In accordance with Directive 2014/45/EU, of 3 April 2014, on periodic vehicle roadworthiness testing of motor vehicles and their trailers, vehicle roadworthiness testing 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:

- Ensure the maintenance of the authorisation conditions and the requirements necessary to carry out the activity.
- Ensure that technical testing standards are correctly applied to the vehicles tested and that the criteria for resolving administrative procedures handled at ITV stations are correctly applied.
- Ensure compliance with the conditions of provision of the service to users defined by the Government of Catalonia.
- Resolve the doubts, complaints and controversies raised by the users of the service regarding the actions of the operators.
- Promote regulatory and technological changes and adaptations in the activity and network of ITV stations.

A.1 Regulatory alternative: Take no action.



This alternative implies that the five entities currently authorised to carry out the activity will continue operating. The current number of operators is small, and since the expansion of the network of stations is frozen, the Administration's current control and supervision activities are limited to:

- Supervision of compliance with the specific conditions for the development of the activity.
- Supervision of the correct application of testing 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 the network of ITV stations.

A.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of 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 will have the following implications for the monitoring and supervision activity:

- Supervision of compliance with the specific conditions for carrying out the activity will be increased compared to the previous scenario (take no action) due to the increase in operators and the foreseeable opening and closing of stations.
- Monitoring the correct implementation of testing protocols, which has been stepped up compared with the previous scenario – take no action – due to the increase in the number 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 the network of ITV stations. The coordination effort required by the Administration will be increased.

A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of 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 will entail few changes to monitoring and supervision activities compared with the 'do-nothing' option:

- Supervision of compliance with the specific conditions for the development of the activity.
- Supervision of the correct application of testing 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 the network of ITV stations.



A.4 Regulatory alternative: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a 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 will have the following implications for the monitoring and supervision activity:

- Supervision of compliance with the specific conditions for carrying out the activity will be increased compared to the scenario of taking no action due to the increase in operators and the foreseeable opening and closing of stations.
- Supervision of the correct application of testing protocols will be increased compared to the scenario of taking no action due to the increase in 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 the network of ITV stations. The coordination effort required by the Administration will be increased.

2.4.3.5 Environmental sustainability and energy efficiency of the ITV service.

Characteristics of the variable in the current context.

Currently, the environmental sustainability and energy efficiency measures implemented in the development of the ITV service are those derived from existing legal obligations regarding waste recycling and air and noise pollution.

A.1 Regulatory alternative: Take no action.

This alternative entails maintaining the current policy of adapting the ITV service to the legal obligations established in general, both in terms environmental sustainability and energy efficiency.

A.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

The combination of factors under this option affects the environmental sustainability and energy efficiency of the ITV service, as stricter environmental and energy-efficiency requirements may affect the financial viability of the premises and lead to station closures or increases in service prices.

A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of 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. Given the ability to establish specific conditions for service provision by operators, the Administration will be able to apply additional measures beyond those generally established 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. However, implementing these improvements will require investments that may impact economic profitability, and given the existence of maximum fees to be applied throughout the network of the entities themselves, may affect the quality and rigour of the testing activity.

A.4 Regulatory alternative: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

The combination of factors for this alternative has an impact on the environmental sustainability and energy efficiency of the ITV service. Given the ability to establish specific conditions for service provision by operators, the Administration will be able to apply additional measures beyond those generally established the rest of society and productive sectors. In this case, taking into account the characteristics of the model, it will allow adapting and modulating the network when necessary and adjusting prices, within the margins set out in the maximum rate, to balance economic profitability where appropriate. Even so, this situation may affect the quality and rigour of the testing activity, although foreseeably to a lesser extent than in the previous case.

2.4.3.6 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 activities carried out by operators at ITV stations in Catalonia, together with the uniformity of the testing criteria, are determined by the regulations and testing protocols and are monitored by the Government of Catalonia body responsible for industrial safety and by the Spanish National Accreditation Body (ENAC).

ITV operators must hold technical competence accreditation issued by ENAC, which assesses whether they possess the knowledge and procedures required to carry out the testing activity in accordance with the legally prescribed quality standards. This assessment is carried out periodically by specialized auditors. In addition, the Government 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: Take no action.

In this case, it is expected that competition and the technical quality of the work carried out at ITV stations will be maintained. The absence of strong competition among operators to attract clients reduces the pressure that could lead to less rigorous application of testing protocols, given the low risk of losing clients.

A.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.



The combination of factors in this alternative could have a significant impact on the technical quality of the work carried out at ITV stations. 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 the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

The combination of factors in this alternative may have a similar impact on the technical quality of the work carried out at ITV stations as the "take no action." alternative, provided that the expansion or modification of the network does not introduce significant competitive factors among operators. Conversely, similar problems to those mentioned for free access to the activity may arise, either generally or locally, although foreseeably with less intensity.

A.4 Regulatory alternative: Administrative decision setting out the specific conditions for the provision of services and the conditions for ensuring adequate territorial coverage through the establishment of a market offering free access to the activity, taking territorial considerations into account.

The combination of factors in this alternative has a similar impact on the technical quality of the work carried out at ITV stations as the "take no action" alternative, but with less intense effects.

2.4.4 Indicators and timeframe for the economic, social, and environmental analysis.

Based on the above, the following indicators are identified for conducting the economic, social, and environmental analysis of the proposed alternatives for the development of this service:

- I.1. The average fee rate applied to the services. This indicator assesses the overall economic cost resulting from the difference between the fees charged by operators and the maximum legally established fee.
- I.2. Average waiting time from appointment request to service delivery. This indicator assesses the economic and social cost of the difference between the minimum reasonably expected average waiting time across all options and the average waiting times anticipated for each option at each stage of the scenarios.
- I.3. Average distance to the nearest station. This indicator assesses the economic, social, and environmental cost of users travelling to the nearest station (as the primary criterion for choosing a testing centre), based on the difference from the lowest average distance of all options.
- I.4. Maximum distance to the nearest station. The maximum distance to access the nearest station. This indicator assesses the economic, social, and environmental cost of relocating ITV stations to zones with a vehicle fleet that makes operating the service unprofitable (25% of the vehicle fleet may be affected by this relocation).
- I.5. The average distance to access the nearest competitor's station. This indicator assesses the economic and environmental costs of competition among service providers.
- I.6. The percentage of non-compliance. This indicator assesses the economic, social, and environmental impact of non-compliance, estimated at half the maximum fee for each test not carried out.



- I.7. The level of unfavourable tests. This indicator assesses the economic, social, and environmental impact of vehicle defect detection, estimated at one-third of the maximum fee for each test with an unfavourable result.

Furthermore, regarding the time horizon of the analysis, it should be considered that, in those alternatives that involve a change of model from the current one, the impacts on the different indicators will evolve differently until these models stabilise. This stabilisation can be estimated at a maximum horizon of 10 years.

A.1 Regulatory alternative: Take no action.

The most relevant aspect of this alternative is that the situation will evolve by steadily putting pressure on the system; that is, demand will continue to increase slowly while supply remains stagnant.

A.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

In this alternative, the situation is expected to develop as follows:

In the short term (during the first two years):

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

Between the third and fifth year:

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

Between the sixth and tenth year:

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

A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of 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 zones, 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 taking no action, but with temporary lag.

A.4 Regulatory alternative: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage.

through the establishment of a market offering free access to the activity, with a territorial weighting.

In this alternative, the situation is expected to develop as follows:

In the short term (during the first two years):

- Opening new stations in the most densely populated zones and parallel to the less populated zones, slowly increasing supply throughout the territory.
- Maintaining pressure between supply and demand.
- Maintenance of fees in the high range (maximum rate).

From the 3rd year onwards:

- Sustained decrease and generalised stabilisation of fees due to widespread increase in competition.

Between the sixth and tenth year:

- General stabilisation of the station network and tariffs, with the possibility of slight differences between the most densely populated and the sparsely populated zones, depending on the evolution of competition resulting from the rate of new station construction.

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

Scenario of the first 2 years:

	A.1	A.2	A.3	A.4
I.1	Max. fee: €45 Test fee: €45	No maximum fee Test fee: €75	Max. fee: €45 Test fee: €45	Max. fee: €45 Test fee: between € 30 (75 % fleet) – € 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	Maximum distance: 20 km	Maximum distance: 25 km	Maximum distance: 20 km	Maximum distance: 18 km
I.5	Distance to the competition: 20 km	Distance to the competition: 20 km	Distance to the competition: 20 km	Distance to the competition: 15 km
I.6	Non-compliance: 18 %	Non-compliance: 18 %	Non-compliance: 16 %	Non-compliance: 10 %
I.7	Unfavourable tests: 21 %	Unfavourable tests: 15 %	Unfavourable tests: 21 %	Unfavourable tests: 21 %

A.1: Take no action.

A.2: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

A.3: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

A.4: Administrative determination of the specific service provision conditions and the conditions to guarantee sufficient territorial and sectoral coverage through the establishment of a free market for the activity with territorial weighting.

Scenario between the 3rd and 5th years:

	A.1	A.2	A.3	A.4
I.1	Max. fee: €45 Test fee: €45	No maximum fee Test fee: between € 22 (75 % fleet) – € 75 (25 % fleet)	Max. fee: €45 Test fee: €45	Max. fee: €45 Test fee: between € 30 (75 % fleet) – € 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	Maximum distance: 20 km	Maximum distance: 65 km	Maximum distance: 18 km	Maximum distance: 20 km
I.5	Distance to the competition: 20 km	Distance to the competition: 42 km	Distance to the competition: 13 km	Distance to the competition: 15 km
I.6	Non-compliance: 20 %	Non-compliance: 13 %	Non-compliance: 16 %	Non-compliance: 8 %
I.7	Unfavourable tests: 21 %	Unfavourable tests: 10 %	Unfavourable tests: 21 %	Unfavourable tests: 21 %

A.1: Take no action.

A.2: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

A.3: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

A.4: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

Scenario between the 6th and 10th year:

	A.1	A.2	A.3	A.4
I.1	Max. fee: €45 Test fee: €45	No maximum fee Test fee: between € 30 (75 % fleet) – € 70 (25 % fleet)	Max. fee: €45 Test fee: €45	Max. fee: €45 Test fee: between € 30 (75 % fleet) – € 45 (25 % fleet)
I.2	Average waiting time: 40 days	Average waiting time: 5 days	Average waiting time: 22 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	Maximum distance: 20 km	Maximum distance: 65 km	Maximum distance: 18 km	Maximum distance: 20 km
I.5	Distance to the competition: 20 km	Distance to the competition: 42 km	Distance to the competition: 13 km	Distance to the competition: 12 km
I.6	Non-compliance: 22 %	Non-compliance: 13 %	Non-compliance: 16 %	Non-compliance: 8 %
I.7	Unfavourable tests: 21 %	Unfavourable tests: 10 %	Unfavourable tests: 21 %	Unfavourable tests: 21 %

A.1: Take no action.

A.2: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

A.3: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.

A.4: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

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

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

	Indicator	Unit of measure	Monetary equivalent (€)	Profit/Cost
I.1	The average fee rate applied for the services	€	(total number of tests × (maximum fee rate – weighted average fee rate) / 2)	Benefit
I.2	Average waiting time from appointment request to service provision	Day	(€6 × (average waiting time – minimum average waiting time) × total number of inspections)	Cost
I.3	Average distance to access the nearest station.	km	(€0.35 × (average distance – minimum average distance) × total number of inspections)	Cost
I.4	Maximum distance to access the nearest station	km	(€0.35 × maximum distance × total number of inspections)	Cost
I.5	Average distance to access the nearest competitor station.	km	(€0.35 × distance to the competition × total number of inspections)	Benefit
I.6	Percentage of non-compliance.	%	(% of non-compliance × total number of inspections × average fee / 2)	Cost
I.7	Level of unfavourable tests	%	(total number of tests × average fee / 2 × % of unfavourable inspections)	Benefit

The volume of tests considered is:

- The first 2 years: 3,000,000 annually.
- Between the 3rd and 5th year: 3.100.000 annually.
- Between the 6th and 10th year: 3.250.000 annually.

Scenario of the first 2 years:

	A.1	A.2	A.3	A.4
I.1	€0	€60,000,000	€0	€22,500,000
I.2	€75,000,000	€45,000,000	€60,000,000	€45,000,000
I.3	€6,000,000	€6,000,000	€6,000,000	€2,400,000
I.4	€3,000,000	€4,500,000	€3,000,000	€2,400,000
I.5	€12,000,000	€18,000,000	€12,000,000	€6,000,000
I.6	€24,300,000	€24,300,000	€21,600,000	€13,500,000
I.7	€28,350,000	€20,250,000	€28,350,000	€28,350,000
	€-67,950,000	€18,450,000	€-50,250,000	€-6,450,000

Scenario between the 3rd and 5th years:

	A.1	A.2	A.3	A.4
I.1	€0	€76,725,000	€0	€34,875,000
I.2	€139,500,000	€37,200,000	€79,050,000	€9,300,000
I.3	€6,000,000	€30,000,000	€2,400,000	€0
I.4	€3,000,000	€16,500,000	€2,400,000	€3,000,000
I.5	€12,000,000	€38,400,000	€3,600,000	€6,000,000
I.6	€41,850,000	€27,202,500	€33,480,000	€16,740,000
I.7	€87,885,000	€41,850,000	€87,885,000	€87,885,000
	€-90,465,000	€46,072,500	€-25,845,000	€99,720,000

Scenario between the 6th and 10th year:

	A.1	A.2	A.3	A.4
I.1	€0	€75,833,333	€0	€48,750,000
I.2	€227,500,000	€0	€130,000,000	€13,000,000
I.3	€6,000,000	€30,000,000	€2,400,000	€0
I.4	€3,000,000	€16,500,000	€2,400,000	€3,000,000
I.5	€12,000,000	€38,400,000	€3,600,000	€2,400,000
I.6	€64,350,000	€38,025,000	€46,800,000	€23,400,000
I.7	€61,425,000	€29,250,000	€61,425,000	€61,425,000
	€-227,425,000	€58,958,333	€-116,575,000	€73,175,000

2.4.7 Comparative summary of the economic, social and environmental impact.

Alternatives:

- A.1: Take no action.
- A.2: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.
- A.3: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.
- A.4: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

	A.1	A.2	A.3	A.4
I.1	€0	€212,558,333	€0	€106,125,000
I.2	€442,000,000	€82,200,000	€269,050,000	€67,300,000
I.3	€18,000,000	€66,000,000	€10,800,000	€2,400,000
I.4	€9,000,000	€37,500,000	€7,800,000	€8,400,000
I.5	€36,000,000	€94,800,000	€19,200,000	€14,400,000

I.6	€130,500,000	€89,527,500	€101,880,000	€53,640,000
I.7	€177,660,000	€91,350,000	€177,660,000	€177,660,000
	€-385,840,000	€123,480,833	€-192,670,000	€166,445,000

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

3. Comparison of the options considered.

Alternatives:

- A.1: Take no action.
 - A.1.1: Without challenge.
 - A.1.2: Challenge with financial penalty.
- A.2: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.
- A.3: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of restricted access to activity with territorial planning.
- A.4: Administrative determination of the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a territorial weighting.

	<i>Budgetary impact</i>		<i>Regulatory impact (administrative burdens)</i>	<i>Gender-based impact</i>	<i>Economic, social and environmental impact (economic costs)</i>
A.1.1	€0	€0	€0	None	€-385,840,000
A.1.2	€0	€-3,000,000	€0	None	€-385,840,000
A.2	€216,600	€-1,380,000	€-1,255,455	None	€123,480,833
A.3	€57,000	€-790,000	€-833,213	None	€-192,670,000
A.4	€140,600	€-1,380,000	€-588,978	None	€166,445,000

A.1 Regulatory alternative: Take no action.

This alternative is not expected to have budgetary consequences. Furthermore, the economic, social and environmental impacts are very relevant, and the regulatory impact is zero.

A.2 Regulatory alternative: Administrative determination of the specific conditions of provision through the establishment of a market of free access to the activity.

This alternative has a moderate budgetary impact, in contrast to a significant regulatory impact, given that it generates considerable administrative burdens. However, from the perspective of economic, social, and environmental impact, it is the most cost-effective alternative.

A.3 Regulatory alternative: Administrative determination of the specific conditions for the service provision and location of the testing centres through the establishment of a market of 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 the specific conditions for the provision of services and the conditions for ensuring sufficient territorial and sectoral coverage through the establishment of a market offering free access to the activity, with a 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, the regulatory alternative of a legal framework that determines the specific service provision conditions and the conditions for guaranteeing sufficient territorial coverage through the establishment of a free market with territorial weighting is chosen (alternative A.4).

4. Implementation, monitoring and assessment of the standard.

The implementation, monitoring, and assessment of the regulation will be the responsibility of the Deputy Directorate

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 resolutions for stations that adhere to the specific authorisation procedure for fixed stations outlined in the first additional provision.	4 months from the entry into force of the law.
TI.2	To assess compliance with the requirements and obligations arising from the authorisation of fixed stations subject to the specific authorisation procedure for fixed stations set out in the first additional provision.	During the 15 days prior to the end of the 12-month period from the date of authorisation.
TI.3	Evaluate compliance with the obligations established in section 1 of the first transitional provision by operators who continue to provide the service without the required authorisation under the new legal regime.	Every three months, from the date the law enters into force, until they obtain the necessary authorisation under the new legal regime or until two years have elapsed since the law enters into force.
TI.4	Define the ITV Service Indicator Chart.	6 months from the entry into force of the law.
TI.5	Define the information content of the ITV service of the Department responsible for industrial safety.	3 months from the entry into force of the law.
TI.6	Define and implement the system for measuring the degree of satisfaction with the ITV service.	12 months from the entry into force of the law.
TI.7	Define and implement the procedures for reporting to the competent authority on industrial safety by ITV station operators, as required by law.	4 months from the entry into force of the law.
TI.9	Define the Annual Inspection Plan of the conditions of the ITV service provision.	Annually, between October and December.
TI.10	Define the Technical Supervision Annual Plan of the activity of the ITV operators.	Annually, between October and December.

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

	Task	Monitoring criteria
TS.1	Check the conditions for starting the activity of authorised ITV stations.	Each time the start of activity of the stations is communicated.

TS.2	Check compliance with the conditions authorised in the modifications of the ITV stations.	Each time station activity commencements are reported.
TS.3	Implement the actions of the Annual Inspection Plan of the conditions of the ITV service provision.	Between January and December.
TS.4	Implement the actions of the Technical Supervision Annual Plan of the activity of the ITV operators.	Between January and December.
TS.5	Update and review the information content of the ITV service on the website of the department responsible for industrial safety.	Every time there are news and annually in the month of January.
TS.6	Define the objectives of the system for measuring the degree of satisfaction with the ITV service.	Annually, between October and December.
TS.7	Verify compliance with the measures implemented to correct identified non-compliance with requirements and obligations.	Within 10 days following the expiration of the one-month period for correction.

The tasks associated with assessing the law are:

	Task	Monitoring criteria
TA.1	Assess the degree of compliance with the objectives defined in the annual ITV Service Inspection Plan.	Annually, between March and April.
TA.2	Assess the degree of compliance with the objectives defined in the Technical Supervision Annual Plan of the activity of the ITV operators.	Annually, between March and April.
TA.3	Evaluate the results of the system for measuring the degree of satisfaction with the ITV service.	Annually, between March and April.

5. Annexes.

5.a. SMEs test.

Data of the initiative		
Title Draft Law regulating the provision of vehicle roadworthiness testing services (ITV) in Catalonia.		
Identification of the population of companies affected		
1. Estimate of the number of companies in the sector concerned and their turnover, differentiating them by size: Micro-enterprises: Enter the number of companies here – Enter the volume figure in € Small enterprises: Enter the number of companies here – Enter the volume figure in € Medium-sized enterprises: Enter the number of companies here – Enter the volume figure in € Large enterprises: 20 companies – €100,000,000 2. Estimated number of workers employed in SMEs in the sector: enter the number of workers here.		
Remarks:		
Consultation of the sector affected		
3. Have SMEs in the sector affected or business associations representing them been consulted on the design of the standard and regulatory options before starting the process?	Yes ☒	No ☐
4. Will at least those business associations representing the majority of SMEs in the affected sector be consulted during the hearing process?	☒	☐
Remarks:		
The sector, which is made up exclusively of large companies, has been consulted (Point 1).		
Measuring the impact on SMEs		
5. Have the administrative burdens arising from compliance with the proposed measures been quantified?	Yes ☒	No ☐
6. Have the most relevant financial costs or substantive costs of the proposed regulation been quantified?	☒	☐



- | | |
|--|--|
| 7. Is it guaranteed that the costs generated for SMEs do not imply competitive disadvantages compared to larger companies? | ☒ ☐ |
| 8. Has it been ensured that SMEs can operate under conditions of fair competition in the market? | ☒ ☐ |

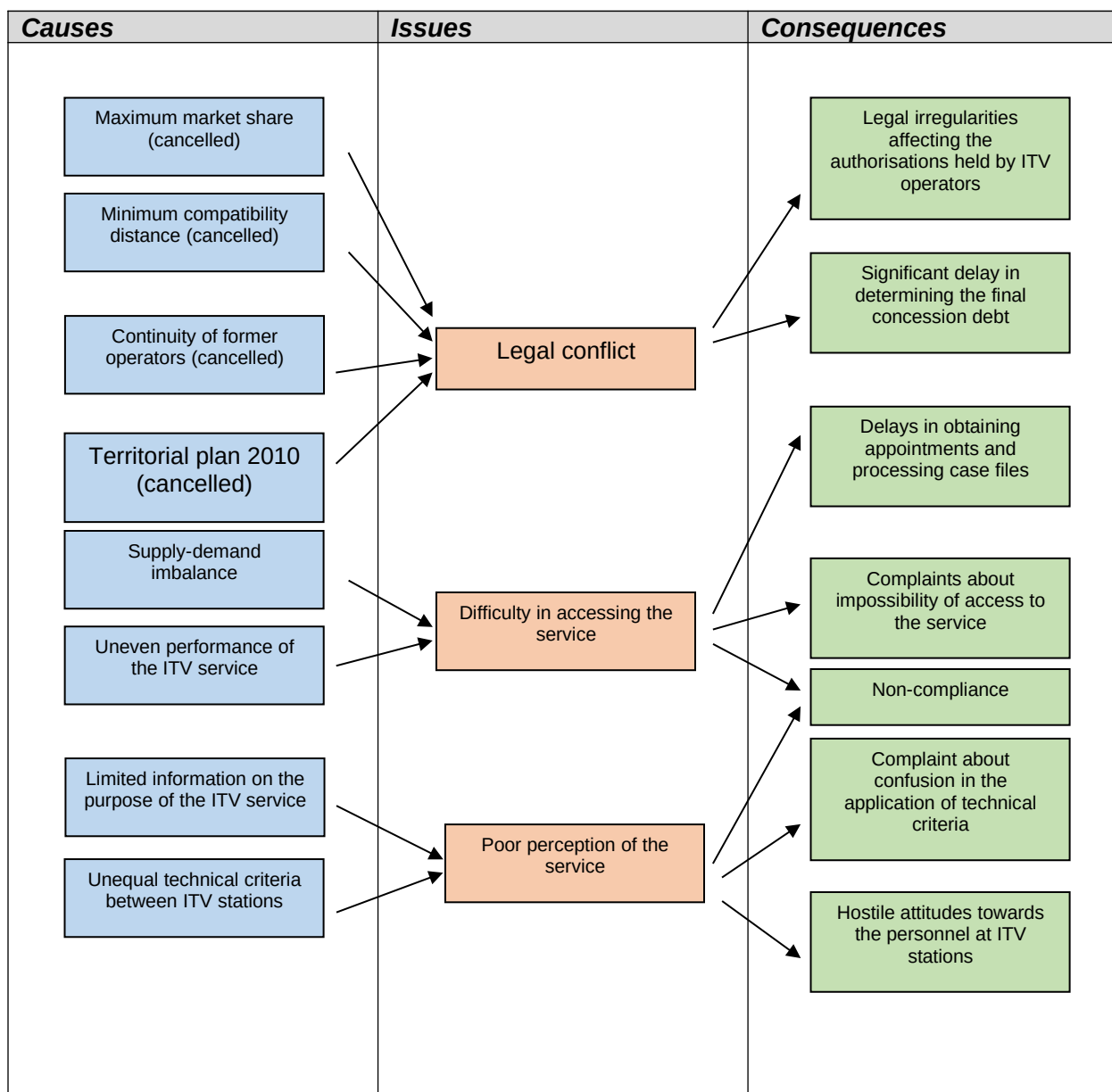
Remarks:

Assessment of specific measures for SMEs

- | | Ye
s | 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? | ☐ | ☒ |
| <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 reporting obligations. 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? | ☐ | ☒ |
| 11. Has the proposed regulation been drafted in simple and understandable language for a person without specific legal training? | ☒ | ☐ |
| 12. Does it contribute to simplifying the sector's regulatory framework in order to make it more accessible? | ☒ | ☐ |

Remarks:

5.b. Problem tree.





5.c. Cost analysis of the fees set out in the preliminary draft law regulating the provision of the ITV service.

The fees stipulated in the draft law regulating the provision of ITV services are:

- The fee for applying for authorisation, and for applying to modify an authorisation, to provide the vehicle roadworthiness testing service at a fixed station.
- Fee for the control and supervision of the provision of the vehicle roadworthiness testing service. This fee is broken down into different amounts depending on the action taken:
 - Fee for amending the ITV certificate due to a change in the vehicle's classification (Series 100 procedures).
 - Procedure for amending the ITV certificate due to a vehicle modification (series 200 procedures).
 - Procedure for issuing a new ITV certificate for the registration of vehicles in Spain (series 300 procedure).
 - Procedure for issuing the ITV certificate for vehicles registered in Spain (series 400 procedures).
 - Complete vehicle roadworthiness test.
 - Partial vehicle roadworthiness test.

Fee for the application for authorisation and for the application for modification of the authorisation to provide the vehicle technical inspection service at a fixed station.

The administrative activity generated by processing applications for authorisation and for modification of the administrative authorisation is the same, since the tasks and the time required are identical in both cases; therefore, both activities have the same associated costs.

The tasks to be performed in these administrative activities are:

- Receiving and registering the application.
- Assigning a file number.
- Analysis and assessment of the application.
- Establishment inspection.
- Drafting of delivery documentation.
- Assigning a RASIC registration number.
- Entry of the data into the RASIC IT system.
- Issuance of the registration certificate in the RASIC IT system.
- Registering and notifying the issuance of the authorisation.
- Preparing the resolution for publication in the DOGC (Official Gazette of the Generalitat of Catalonia).
- Folder of the contract.
- Publishing the authorisation in the DOGC.

Description of the service.

ITV services are provided at establishments expressly authorized to carry out this activity. The process begins at the request of interested parties through an application for authorisation of these facilities to provide vehicle testing services at a fixed station, via the specific procedure available on the Canal Empresa portal. Likewise, any modifications that may occur in the stations already authorised and that affect requirements and obligations specific to the exercise



of the activity require the processing of an administrative authorisation, which follows a procedure similar to that of the authorisation of new ITV stations.

The applications for authorisation are submitted by the interested ITV service providers to the OGE (General Directorate of Vehicle Inspection) through the specific Canal Empresa procedure, which performs preliminary checks and issues the applicant a payment slip for the fee associated with this procedure. Finally, the OGE forwards the application file to the relevant department.

Once the file is transferred, the administrative personnel of the relevant unit (C1-20 and C2-14) verifies its contents and forwards it to the assigned technical personnel.

The technical personnel (A1-23) evaluates the submitted documentation and compliance with the prerequisites (technical competence, service conditions, territorial weighting, environmental sustainability, etc.), prepares the preliminary analysis report of the application, and submits it to the head of the relevant section (A2-24), who reviews the preliminary analysis report. This report must indicate whether there is compliance or non-compliance and, in the latter case, must detail the identified non-compliance.

The preliminary analysis report must be submitted to the head of the relevant section, who then reviews it:

- If the review indicates compliance, they prepare the review report and the proposed authorisation resolution.
- If the review indicates non-compliance, they manage the requests for clarification, analyse the responses, if any, and finally prepare the review report with their conclusions (compliance or non-compliance). If there is compliance, they prepare the proposed authorisation resolution. If there is non-compliance, they prepare the proposed resolution denying authorisation.

Once the section head has completed the review, they submit the review report and the proposed authorisation or denial resolution to the head of the relevant service (A1-27), who must review the documentation and the analysis previously carried out, and forward the corresponding conditional resolution proposal to the relevant sub-directorate.

The head of the sub-directorate (A1-30) signs, where applicable, the conditional decision on the application, and the department's administrative personnel (C1-20 and C2-14) arrange for it to be notified to the applicant organisation.

Once the station is ready to begin operating, the applicant entity notifies the competent authority and technical personnel carry out an inspection to check the facilities. If the result is favourable, a favourable verification report is drawn up. Otherwise, an unfavourable verification report is issued detailing the non-compliance and a period for correcting the deficiencies is granted.

If the result is unfavourable, a period for correcting the deficiencies is granted, and finally, a verification report with the corresponding result must be issued.

Depending on the outcome, the head of the department draws up the draft final decision and forwards it to the head of the sub-directorate for signature.

Finally, the service's administrative personnel (C1-20 and C2-14) manage the notification of this resolution to the applicant entity and its publication in the DOGC (Official Gazette of the Generalitat of Catalonia).



These tasks are carried out using a combination of resources, which are divided into direct and indirect costs:

- Direct costs: those exclusively linked to carrying out the activity.
- Indirect costs: those that cannot be exclusively linked to carrying out the activity, since they also serve to develop other activities of the unit, but which are necessary for the specific activity under analysis to be carried out.

The direct costs of this activity are related to:

- The remuneration of the personnel directly involved in the processing of these applications.
- Employer social security contributions associated with the salaries of the personnel directly involved in processing these applications.
- The expenses necessary to publish the authorisation resolutions in the Official Gazette of the Government of Catalonia (DOGC).

Since not all personnel involved in processing these files have the same level, although, depending on their category, they perform the same tasks, the types of personnel resources have been divided as follows:

- Administrative personnel (C1-20 and C2-14).
- Technical personnel (including personnel from bodies A1-23 and A2-24.2).
- Senior management personnel of the service (service head, A1-27.2).
- Management personnel of the sub-directorate (deputy director or deputy director general, A1-30.2).

Annual personnel time commitment.

The annual volume of applications for authorisation of new stations or modification of authorisations during the next few years can be estimated at approximately 20 files, given that in the first few years there will be demand for applications from existing stations that are free of the burden pending reversion to the Administration. In the following years, there will be a predictable influx of applications from stations that are gradually completing the reversion and subsequent awarding processes to new owners, combined with applications from new entities or existing entities that decide to open new establishments. Once the first 3 or 4 years have passed, the situation is expected to stabilise, so that applications for new stations will be fewer than during the first few years, although it is expected that applications for modifications to already operating stations will continue to be received.

- Personnel in categories C1-20 and C2-14 devote 8.5 % of their annual working hours to processing 20 cases (this amounts to approximately 334 hours out of the 1 950 hours equivalent to 100 % of the annual working hours).
- Personnel in category A1-23 devote 26 % of their annual working time to processing 20 cases (this amounts to around 500 hours out of the 1 950 hours equivalent to 100 % of the annual working time).
- Personnel in category A2-24.2 devote 27 % of their annual working time to processing 20 cases (this amounts to around 540 hours out of the 1 950 hours equivalent to 100 % of the annual working time).
- Personnel in category A1-27.2 devote 34 % of their annual working time to providing 20 service units (this corresponds to approximately 680 hours out of the 1 950 hours equivalent to 100 % of the annual working time).



- The deputy director-general (A1-30.2) devotes 4.5 % of their annual working time to the provision of 1 service unit (corresponding to approximately 90 hours out of 1 950 hours, equivalent to 100 % of the annual working time).

Publication in the DOGC.

The direct cost of publishing authorisation or amendment decisions in the DOGC is €1,000 (20 publications in the DOGC at the rate of €50 for each authorisation or amendment decision).

The indirect costs of this activity are those related to:

- The occupation of the building corresponding to the workstation of the personnel who process the applications.
- The information systems for managing the authorisation files.
- The specific training of the personnel assigned to managing the authorisation files.
- The expenses of personnel from other auxiliary units involved in processing these applications.

The total indirect costs have been estimated at 5 % of the direct costs (€71,003.62). Consequently, the indirect costs of this activity amount to €3,550.18.

The total annual cost of this activity (direct and indirect costs) for 20 cases amounts to €74,553.80.

Based on potential demand, the cost for 20 service units is €3,727.69 per unit.

The percentage of coverage of the service is 100 % and, applying the rounding criteria of the administrative fees provided for in the legislation regulating fees and public prices of the Generalitat of Catalonia, the amount of the fee is established at €3,727.70.

Fee for the control and supervision of the provision of the vehicle roadworthiness testing service.

The costs of the administrative activity of controlling and supervising the vehicle testing service by the competent body of the Generalitat Administration for industrial safety are based on:

- a. The identification of the annual costs incurred by the Administration in monitoring and supervision the activities carried out by authorised ITV operators in Catalonia, allocating these costs on a weighted basis across the various categories of ITV service operations and on the basis of the estimated volume of such operations.
- b. The categories of work carried out by the ITV service are:
 - Procedure for amending the ITV certificate due to a change in the vehicle's classification (Series 100 procedures).
 - Procedure for amending the ITV certificate due to a vehicle modification (series 200 procedures).
 - Procedure for issuing a new ITV certificate for the registration of vehicles in Spain (series 300 procedure).
 - Procedure for issuing the ITV certificate for vehicles registered in Spain (series 400 procedures).
 - Complete vehicle roadworthiness test.

- Partial vehicle roadworthiness test.
- c. The estimated number of tests in each category carried out by organisations providing the ITV service is:

<i>Categories of actions by ITV operators</i>	<i>Estimated number of actions</i>
Series 100	4,000
Series 200	35,500
Series 300	17,200
Series 400	24,500
Complete test	2,900,000
Partial test	25,000

- d. The government's control and supervision of the ITV service in Catalonia is carried out directly by the technical inspectors assigned to this zone, with the support of administrative personnel and under the planning, management and coordination of management personnel at the service and deputy directorate-general levels. Therefore, the costs of the monitoring and supervision activity consist of:

The direct costs of this activity are related to:

- The remuneration of the personnel directly involved in the processing of these applications.
- Employer social security contributions associated with the salaries of the personnel directly involved in processing these applications.

The indirect costs of this activity are those related to:

- The occupation of the building corresponding to the workstation of the personnel who process the applications.
- The information systems for managing the authorisation files.
- Specific training of assigned personnel.
- The expenses of personnel from other auxiliary units involved in processing these applications.

- e. The control and supervision activity consists of the following tasks:
- Definition and preparation of the ITV Service Inspection Plan.
 - Administrative inspection of the activity of ITV operators.
 - Assessment of the activity of ITV operators.

Definition and preparation of the ITV Service Inspection Plan.

The tasks associated with the preparation, definition and elaboration of the ITV Service Inspection Plan involve:

- Annual planning of control and supervision of the inspections
- Distribution of control and supervision files
- Logistical planning of the supervision and control activity



- Archiving of documentation

Administrative inspection of the activity of ITV operators.

The tasks associated with the Administration's inspection of the various types of administrative-procedure files and the different types of tests carried out by ITV operators include:

- Technical and documentary review of the procedure file
- Travel to the testing site
- Supervision of the ITV operator's testing activities
- Assessment of the ITV operator's testing activities
- Drafting of the report on the supervision and control of the ITV operator's testing activities
- Registration and notification of the report on the supervision and control of the ITV operator's testing activities
- Archiving of documentation

Overall assessment of the activity of ITV operators.

The tasks associated with assessing the results of the ITV service's control and supervision activities include:

- Overall analysis of the information obtained from the control and supervision of the ITV service
- Drafting of the monthly supervision and control report of the ITV operator
- Archiving of documentation

Description of the service.

The industrial safety officer, who is also an ITV operator, carries out periodic tests. Monthly, the fees generated by the supervision of the inspection activity, which the Administration is authorised to carry out, must be paid to the Administration.

Specifically, before the 20th day of the month following the month in which the test was carried out, it must submit via Canal Empresa the payment of the fees by means of an electronic procedure.

The General Office (OGE) performs the necessary verifications and issues the payment receipt. Subsequently, it notifies the competent body of the existence of a file.

The section head (A2-24.2) prepares the proposed ITV Service Inspection Plan.

The service head (A1-27) reviews it and submits it to the head of the sub-directorate.

The head of the sub-directorate approves the inspection plan.

The SSI inspectors (A1-23) supervise the actions of the inspection entities.

Management personnel (A2-24, A1-27, and A1-30) evaluate the activity of the ITV operators.

Fee for modifying the ITV certificate due to a change in the vehicle's classification (Series 100 procedures).

The direct costs of this activity are related to:



- Administrative personnel (C1-20 and C2-14).
- Technical personnel (including personnel from bodies A1-23 and A2-24.2).
- Senior management personnel of the service (service head, A1-27.2).
- Management personnel of the sub-directorate (deputy director-general, A1-30.2).

Potential demand: 4,000 tests.

Annual personnel time commitment.

- Personnel in category C2-14 devote 9 % of their annual working time to providing 4,000 service units (corresponding to approximately 180 hours out of the 1,950 hours equivalent to 100 % of the annual working time) (2 units).
- Personnel in category C1-20 devote 5 % of their annual working time to providing 4,000 service units (corresponding to approximately 97 hours out of the 1,950 hours equivalent to 100 % of the annual working time) (1 unit).
- Personnel in category A1-23 devote 15 % of their annual working time to providing 4,000 service units (corresponding to approximately 292 hours out of the 1,950 hours equivalent to 100 % of the annual working time) (1 unit).
- Personnel in category A2-24.2 devote 1 % of their annual working time to providing 4,000 service units (corresponding to approximately 20 hours out of the 1,950 hours equivalent to 100 % of the annual working time) (1 unit).
- Personnel in category A1-27.2 devote 0.25 % of their annual working time to providing 4,000 service units (corresponding to approximately 5 hours out of the 1,950 hours equivalent to 100 % of the annual working time) (1 unit).
- The deputy director-general (A1-30.2) devotes 0.1% of their annual working hours to providing 4,000 service units (corresponding to approximately 2 hours out of the 1,950 hours equivalent to 100% of the annual working hours) (1 unit).

The indirect costs of this activity are those related to:

- The occupation of the building corresponding to the workstation of the personnel who process the applications.
- The information systems for managing the authorisation files.
- The specific training of the personnel assigned to managing the authorisation files.
- The expenses of personnel from other auxiliary units involved in processing these applications.

The total indirect costs have been estimated at 5% of the direct costs (€17,282.26). Consequently, the indirect costs of this activity amount to €864.11.

The total annual cost of this activity (direct plus indirect costs) for 4,000 service units amounts to €18,146.38.

Based on potential demand, the cost for 4,000 service units is €4.54 per unit.

The percentage of coverage of the service is 100 % and, applying the rounding criteria of the administrative fees provided for in the legislation regulating fees and public prices of the Generalitat of Catalonia, the amount of the fee is established at €4.55.



Fee for amending the ITV certificate following vehicle modifications (200-series procedures).

The direct costs of this activity are related to:

- Administrative personnel (C1-20 and C2-14).
- Technical personnel (including personnel from bodies A1-23 and A2-24.2).
- Senior management personnel of the service (service head, A1-27.2).
- Management personnel of the sub-directorate (deputy director or deputy director general, A1-30.2).

Potential demand: 35,500 tests.

Annual time commitment of personnel:

- Personnel in categories C1-20 and C2-14 devote 35 % of their annual working time to providing 35 500 service units (corresponding to approximately 710 hours out of the 1 950 hours equivalent to 100 % of the annual working time per unit) (2 C2-14 units and 1 C1-20 unit).
- Personnel in category A1-23 devote 45 % of their annual working time to providing 35,500 service units (corresponding to approximately 887.5 hours out of the 1,950 hours equivalent to 100 % of the annual working time per unit) (5 units).
- Personnel in category A2-24.2 devote 35 % of their annual working time to providing 4,000 service units (corresponding to approximately 710 hours out of the 1,950 hours equivalent to 100 % of the annual working time) (2 units).
- Personnel in category A1-27.2 devote 25 % of their annual working time to providing 4,000 service units (corresponding to approximately 530 hours out of the 1,950 hours equivalent to 100 % of the annual working time) (2 units).
- The deputy director-general (A1-30.2) devotes 11% of their annual working hours to providing 4,000 service units (corresponding to approximately 213 hours out of the 1,950 hours equivalent to 100% of the annual working hours) (1 unit).

The indirect costs of this activity are those related to:

- The occupation of the building corresponding to the workstation of the personnel who process the applications.
- The information systems for managing the authorisation files.
- The specific training of the personnel assigned to managing the authorisation files.
- The expenses of personnel from other auxiliary units involved in processing these applications.

The total indirect costs have been estimated at 5% of the direct costs (€258,911.86). Consequently, the indirect costs of this activity amount to €12,945.59.

The total annual cost of this activity (direct cost plus indirect cost) for 35,500 service units amounts to €271,857.46.

Based on potential demand, the cost for 35,500 service units is €7.66 per unit.



The percentage of coverage of the service is 100 % and, applying the rounding criteria of the administrative fees provided for in the legislation regulating fees and public prices of the Generalitat of Catalonia, the amount of the fee is established at €7.70.

Procedure for issuing a new ITV certificate for the registration of vehicles in Spain (series 300 procedure).

The direct costs of this activity are related to:

- Administrative personnel (C1-20 and C2-14).
- Technical personnel (including personnel from bodies A1-23 and A2-24.2).
- Senior management personnel of the service (service head, A1-27.2).
- Management personnel of the sub-directorate (deputy director or deputy director general, A1-30.2).

Potential demand: 17 200 tests.

Annual time commitment of personnel:

- Personnel in category C2-14 devote 30 % of their annual working time to providing 17,200 service units (corresponding to approximately 602 hours out of the 1 950 hours equivalent to 100 % of the annual working time per unit) (1 unit).
- Personnel in category C1-20 devote 25 % of their annual working time to providing 17,200 service units (corresponding to approximately 498 hours out of the 1 950 hours equivalent to 100 % of the annual working time per unit) (1 unit).
- Personnel in category A1-23 devote 35 % of their annual working time to providing 17,200 service units (corresponding to approximately 688 hours out of the 1,950 hours equivalent to 100 % of the annual working time per unit) (3 units).
- Personnel in category A2-24.2 devote 30 % of their annual working time to providing 17,200 service units (corresponding to approximately 602 hours out of the 1, 950 hours equivalent to 100 % of the annual working time) (1 unit).
- Personnel in category A1-27.2 devote 10 % of their annual working time to providing 17,200 service units (corresponding to approximately 206 hours out of the 1 950 hours equivalent to 100 % of the annual working time) (1 unit).
- The deputy director-general (A1-30.2) devotes 5% of their annual working hours to providing 17,200 service units (corresponding to approximately 103 hours out of the 1,950 hours equivalent to 100% of the annual working hours) (1 unit).

The indirect costs of this activity are those related to:

- The occupation of the building corresponding to the workstation of the personnel who process the applications.
- The information systems for managing the authorisation files.
- The specific training of the personnel assigned to managing the authorisation files.
- The expenses of personnel from other auxiliary units involved in processing these applications.

The total indirect costs have been estimated at 5% of the direct costs (€110,120.79). Consequently, the indirect costs of this activity amount to €5,506.04.

The total annual cost of this activity (direct cost plus indirect cost) for 17,200 service units amounts to €115,626.83.



Based on potential demand, the cost for 17,200 service units is €6.72 per unit.

The service coverage rate is 100%, and applying the rounding criteria for administrative fees established in the legislation governing fees and public prices of the Generalitat of Catalonia, the fee is set at €6.75.

Procedure for issuing the ITV certificate for vehicles registered in Spain (400 series procedures).

The direct costs of this activity are related to:

- Administrative personnel (C1-20 and C2-14).
- Technical personnel (including personnel from categories A1-23 and A2-24.2): 5 units.
- Senior management personnel of the service (service head, A1-27.2).
- Management personnel of the sub-directorate (deputy director or deputy director general, A1-30.2).

Potential demand: 24,500 tests.

Annual time commitment of personnel:

- Personnel in categories C2-14 and C1-20 devote 35 % of their annual working time to providing 24,500 service units (corresponding to approximately 686 hours out of the 1 950 hours equivalent to 100 % of the annual working time per unit) (1 C2-14 unit and 1 C1-20 unit).
- Personnel in category A1-23 devote 35 % of their annual working time to providing 24,500 service units (corresponding to approximately 688 hours out of the 1,950 hours equivalent to 100 % of the annual working time per unit) (4 units).
- Personnel in category A2-24.2 devote 30 % of their annual working time to providing 24,500 service units (corresponding to approximately 602 hours out of the 1, 950 hours equivalent to 100 % of the annual working time) (1 unit).
- Personnel in category A1-27.2 devote 18 % of their annual working time to providing 24,500 service units (corresponding to approximately 344 hours out of the 1 950 hours equivalent to 100 % of the annual working time) (1 unit).
- The deputy director-general (A1-30.2) devotes 10% of their annual working hours to providing 24,500 service units (corresponding to approximately 206 hours out of the 1,950 hours equivalent to 100% of the annual working hours) (1 unit).

The indirect costs of this activity are those related to:

- The occupation of the building corresponding to the workstation of the personnel who process the applications.
- The information systems for managing the authorisation files.
- The specific training of the personnel assigned to managing the authorisation files.
- The expenses of personnel from other auxiliary units involved in processing these applications.

Total indirect costs have been estimated at 5% of direct costs (€147,946.91).

Therefore, the indirect costs for this activity amount to €7,397.35.



The total annual cost of this activity (direct cost plus indirect cost) for 24 500 service units amounts to €155,344.26.

Based on potential demand, the cost for 24,500 service units is €6.34 per unit.

The percentage of coverage of the service is 100 % and, applying the rounding criteria of the administrative fees provided for in the legislation regulating fees and public prices of the Generalitat of Catalonia, the amount of the fee is established at €6.35.

Fee for the complete technical testing of the vehicle.

This fee derives from the current fee for supervision and control of periodic technical tests, amounting to €0.85, which, according to the calculation criteria used in its original definition, considered:

- An estimated number of actions of 2,900,000.
- A total annual volume of 3 600 administrative inspection activities.

The tasks associated with the Administration's inspection of the various types of administrative-procedure files and the different types of tests carried out by ITV operators include:

- Technical and documentary review of the procedure file
- Travel to the testing site
- Supervision of the ITV operator's testing activities
- Assessment of the ITV operator's testing activities
- Drafting of the report on the supervision and control of the ITV operator's testing activities
- Registration and notification of the report on the supervision and control of the ITV operator's testing activities
- Archiving of documentation

The tasks associated with assessing the results of the ITV service's control and supervision activities include:

- Overall analysis of the information obtained from the control and supervision of the ITV service
- Drafting of the monthly supervision and control report of the ITV operator
- Archiving of documentation

Taking into account the current rate (€0.85) and the change in the CPI between April 2023 and January 2026 (6.8 %), the updated rate amounts to €0.91. In accordance with the rounding criteria for administrative fees set out in the legislation governing public fees and charges of the Government of Catalonia, the fee is set at €0.95.

Fee for the partial vehicle roadworthiness test.

The direct costs of this activity are related to:

- Administrative personnel (C1-20 and C2-14).
- Technical personnel (including personnel from bodies A1-23 and A2-24.2).
- Senior management personnel of the service (service head, A1-27.2).
- Management personnel of the sub-directorate (deputy director or deputy director general, A1-30.2).



Potential demand: 25,000 tests.

Annual time commitment of personnel:

- Personnel in categories C2-14 and C1-20 devote 15 % of their annual working time to providing 25,000 service units (corresponding to approximately 294 hours out of the 1 950 hours equivalent to 100 % of the annual working time per unit) (1 C2-14 unit and 1 C1-20 unit).
- Personnel in category A1-23 devote 8 % of their annual working time to providing 25,000 service units (corresponding to approximately 172 hours out of the 1 950 hours equivalent to 100 % of the annual working time per unit) (1 unit).
- Personnel in category A2-24.2 devote 4 % of their annual working time to providing 25,000 service units (corresponding to approximately 86 hours out of the 1, 950 hours equivalent to 100 % of the annual working time) (1 unit).
- Personnel in category A1-27.2 devote 2 % of their annual working time to providing 25,000 service units (corresponding to approximately 34 hours out of the 1 950 hours equivalent to 100 % of the annual working time) (1 unit).
- The deputy director-general (A1-30.2) devotes 1% of their annual working hours to providing 25,000 service units (corresponding to approximately 25 hours out of the 1,950 hours equivalent to 100% of the annual working hours) (1 unit).

The indirect costs of this activity are those related to:

- The occupation of the building corresponding to the workstation of the personnel who process the applications.
- The information systems for managing the authorisation files.
- The specific training of the personnel assigned to managing the authorisation files.
- The expenses of personnel from other auxiliary units involved in processing these applications.

All indirect costs have been estimated at 5 % of direct costs (€20,128.59).

Therefore, the indirect costs of this activity amount to €1,006.43.

The total annual cost of this activity (direct cost plus indirect cost) for 25,000 service units amounts to €21,135.02.

Based on potential demand, the cost for 25,000 service units is €0.85 per unit.

The service coverage percentage is 100% and, applying the rounding criteria for administrative fees provided for in the legislation regulating fees and public prices of the Generalitat of Catalonia, the amount of the fee is set at €0.85.

Director-General of Industry