

Impact assessment of the Swedish Transport Agency's regulations on exemptions from road traffic definitions

The Swedish Transport Agency's proposal:

The Swedish Transport Agency proposes that the Swedish Transport Safety Agency's regulations (TSVFS 1981:22) on classification be repealed and republished as regulations in the Swedish Transport Agency's Code of Statutes (TSFS).

In connection with this, the Swedish Transport Agency proposes that certain definitions that are currently contained in the Road Traffic Definitions Act (2001:559) be removed from the regulations and that other definitions be moved to the regulations where the terms in question are used (TSFS 2009:31). We are also removing a paragraph from the Swedish Transport Agency's regulations and general advice (TSFS 2015:63) on the registration of vehicles etc. in the Road Traffic Register, which refers to the old regulations and which we consider to constitute double regulation.

A. General

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

The Swedish Transport Agency is actively reviewing older regulations adopted by authorities that no longer exist, such as the Swedish Transport Administration and the Swedish Transport Safety Agency. Some of these regulations are still in force and are necessary, but they can be difficult to understand or have not been updated for a long time and may therefore contain outdated rules.

Regulations adopted by other authorities, whose responsibilities have been taken over by the Swedish Transport Agency, are also part of their own sets of regulations and are not included in consolidated versions or published on the Swedish Transport Agency's website. This makes the regulations difficult to understand.

The Swedish Transport Safety Agency's regulations (TSVFS 1981:22) include, amongst other things, definitions of certain vehicles and provisions regarding the vehicle categories to which they belong. Most of the definitions are found in the Road Traffic Definitions Act, while some definitions are deemed to be obsolete because they do not appear in any

regulations or other applicable regulatory framework. The Swedish Transport Safety Agency's regulations also contain definitions that would be more appropriately placed in the regulations where the terms in question appear.

Another reason for the regulation is the Government's proposal to amend the Road Traffic Ordinance (1998:1276), which was notified to the EU on 25 February 2026 in accordance with the notification procedure laid down in Directive (EU) 2015/1535 laying down a procedure for the provision of information in the field of technical regulations, which was transposed in Sweden in the Technical Rules Ordinance (1994:2029). Under the proposed amendment to the Road Traffic Ordinance, a new provision is introduced regarding the maximum permitted speed when driving on the road with what is referred to as a special recovery vehicle. This new provision necessitates the introduction of a definition of such a recovery device.

The impact assessment does not address the effects of the amendment to the Road Traffic Ordinance.

2. What is to be achieved?

Under our proposal, whereby the Swedish Transport Agency would issue new regulations, instead of merely issuing amending regulations to the Swedish Transport Safety Agency's regulations, the rules are grouped into one and the same regulatory framework. This means that it will be possible to produce consolidated versions in the event of future regulatory changes.

Our proposal also means that certain older and outdated provisions are removed or adjusted to make them up to date. Provisions and definitions that are double-regulated, i.e. regulated elsewhere than in the regulations in question, are deleted.

We also propose a new definition of special recovery device and the type of vehicle to which it belongs.

3. What are the possible solutions?

3.1 Impact if nothing is done?

If the Swedish Transport Agency chooses not to repeal and replace the Swedish Transport Safety Agency's regulations (TSVFS 1981:22) with its own regulations (TSFS), the regulatory framework will continue to be difficult to access and will lack a consolidated version. New amendments to the regulations will be published on the Swedish Transport Agency's website. This means that, in order to familiarise themselves with the current regulations, readers must both consult the basic regulations and all amending regulations on the Swedish Transport Administration's website,

where the TSVFS regulations are published, and read the amending regulations adopted after 2009 on the Swedish Transport Agency's website.

The TSVFS regulations will continue to contain many of the definitions contained in the Road Traffic Definitions Act (2001:559), which means that there is double regulation.

If we do not introduce a definition of a recovery device, there will be no description of what is meant by such a device under the provision in Chapter 4, Section 20, second paragraph, point 8 of the Road Traffic Ordinance, which enters into force on 1 December 2026.

Without the proposed regulations, it is difficult for the public to obtain information on the type of vehicle to which a particular recovery device belongs.

3.2 Alternatives that do not involve regulation

There are no alternatives that do not involve regulation, since it is only through regulations that the Swedish Transport Agency can repeal older provisions and replace them with new ones.

3.3 Regulatory proposal

Option 1 (the Swedish Transport Agency's proposal)

The proposal means that the regulations (TSVFS 1981:22) adopted by the Swedish Transport Safety Agency, whose area of responsibility has been transferred to the Swedish Transport Agency, are repealed and replaced by the Swedish Transport Agency's regulations.

The language and content of the earlier regulations are also reviewed. The language is being updated, and provisions that are no longer relevant, as well as those covered by other regulations, are being removed from the regulations. The regulations will have a clearer structure and will be easier to manage in the future.

In addition, the new regulations define what a special recovery device is, and what kind of vehicle it belongs to. No other changes of substance.

We consider that the provision on mutual recognition is not relevant as the proposed regulation deals with definitions.

Option 2

Option 2 is the same as Option 1, but without a definition of recovery device.

Option 3

Option 3 means that we only propose an amendment to the current regulations (TSVFS 1981:22), introducing a new definition of a special recovery device.

4. Who will be affected?

The main parties concerned are the recovery industry, the Swedish Police Authority, the Swedish Prosecution Authority, the inspection industry and the manufacturers, owners and users of the vehicles mentioned in the regulations.

5. What are the impacts of the regulation?

5.1 Companies

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

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

Taken as a whole, the proposal means that the regulations will be more accessible, easier to interpret and clearer for the businesses and sectors affected by the regulations.

The definition of a recovery device clarifies the amendment to the Road Traffic Ordinance and reduces the risk of vehicles not intended for recovery being used for that purpose.

5.2 Individuals

We consider that the proposal will not have any significant impact on individuals.

5.3 The State, regional and municipal authorities

We consider that the proposal will not have any significant impact on public authorities or their areas of responsibility and duties.

5.4 Environment

The proposal is not considered to have an impact on the environment.

5.5 External effects

No further external effects are expected.

6. **Summary of options considered and why the draft regulation is considered the best option**

Regulatory Option 2 does not include any provisions on special recovery devices. The lack of a definition of what constitutes a special recovery device may give rise to some uncertainty as to what is meant in Chapter 4, Section 20, second paragraph, point 8a of the Road Traffic Ordinance.

Regulatory option 3 consists of an addition in the form of only a definition of a special recovery device. When the Swedish Transport Agency issues an amendment to an older Code of Statutes, the amending regulation will be available on the Swedish Transport Agency's website, whilst the basic regulations and previous amending regulations can be found on the Swedish Transport Administration's website. It is then not possible to make a consolidated version of the regulations, and any double regulation remains.

We therefore recommend regulatory Option 1.

7. **What authorisations form the basis for the Agency's right to make decisions?**

The Swedish Transport Agency issues these regulations pursuant to Section 4 of the Road Traffic Definitions Ordinance (2001:651), Chapter 8, Section 16 of the Vehicle Ordinance (2009:211) and Chapter 15, Section 1 of the Ordinance (2019:383) on the registration and use of vehicles.

8. **Is the regulation consistent with the obligations arising from EU law or other international regulations, or does it exceed them?**

The draft regulation is deemed to be in accordance with EU law and otherwise compatible with other international regulations, but as the draft contains technical rules, it will be notified to the Commission under the Ordinance on technical rules (1994:2029).

The proposal contains national definitions of certain vehicles as well as provisions on the type of vehicles to which they are to be considered to belong. The proposal does not contain requirements for products in the sense that Regulation (EU) 2019/515 of the European Parliament and of the Council of 19 March 2019 on the mutual recognition of goods lawfully marketed in another Member State and repealing Regulation (EC) No 764/2008 is relevant.

The draft regulation does not impose any new requirements on service providers, so the proposals do not need to be notified under the Ordinance on Services in the Internal Market (2009:1078).

The proposal does not contain any requirements that would involve the regulation of professions requiring notification under the Act on the Recognition of Professional Qualifications (2016:145) or a proportionality assessment pursuant to the Ordinance on Proportionality Testing in the case of New or Changed Requirements for Professional Qualifications (2020:757).

The proposal does not contain any data localisation requirements, which is why notification is not required according to Article 4(2) of Regulation (EU) 2018/1807 of the European Parliament and of the Council of 14 November 2018 on a framework for the free flow of non-personal data in the European Union (the Data Flow Regulation).

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

An amendment to Chapter 4, Section 20 of the Road Traffic Ordinance will enter into force on 1 December 2026. It is therefore desirable that the Swedish Transport Agency's regulations be adopted and enter into force as soon as possible.

B. Fulfilment of transport policy goals

The overall goal of Swedish transport policy is to ensure a socio-economically efficient transport provision that is sustainable in the long term for both citizens and businesses all over the country. The overall goal also includes performance goals and health, environment and safety (HES) goals with a number of prioritised areas.

The performance goal is to create accessibility for people and goods. The design, functioning and use of the transport system shall help to provide everyone with basic accessibility of high quality and usability, as well as contributing to development throughout the country. At the same time, the transport system must be gender-equal, which means it should respond to the transport needs of both men and women in equal measure.

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

10. How does the regulation affect the performance goal?

We consider that the proposed regulation has no impact on the performance goal.

11. How does the regulation affect the HES goal?

The proposal is not considered to have an impact on the HES goal.

C. Companies

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

D. Summary of consequences

Affected party	Impacts that cannot be quantified		Quantified impact (SEK thousands)	Comments
	Advantages	Disadvantages	+ / -	
Companies	Clearer regulation and easier to understand which vehicles are authorised as recovery devices.			Recovery company
Citizens				
The State, et al.				
External effects				
Total				

E. Proportionality of the draft

The proposed regulation has limited consequences and does not entail more far-reaching costs or restrictions for those affected. We therefore consider that the consequences of the proposal are proportionate to the aim of establishing up-to-date and relevant rules.

F. Follow-up and evaluation

We consider that there is neither justification nor scope for specific monitoring of the proposed regulation, as the implications are so limited. However, the introduction of new types of vehicles may in the future give rise to the need for revision of the regulations.

G. Consultation

There is no formal requirement for consultation.

There has been dialogue with the Swedish Association of Road Transport Companies and the Swedish Police Authority.

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

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