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REGULATORY SCRUTINY BOARD OPINION

European Disability Card

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Brussels,
RSB

Opinion

Title: Impact assessment / European Disability Card

Overall opinion: POSITIVE WITH RESERVATIONS

(A) Policy context

The European Disability Card (EDC) aims to facilitate the access to services and preferential conditions for persons with disabilities when travelling to other Member States. To achieve this objective two policy areas are explored: facilitating the mutual recognition of disability status when visiting another Member State and facilitating the use of the EU disability parking card.

The proposal is expected to contribute to the implementation of several principles of the European Pillar of Social Rights and of the United Nations Convention on the Rights of Persons with Disabilities.

(B) Summary of findings

The Board notes the additional information provided and commitments to make changes to the report.

However, the report still contains significant shortcomings. The Board gives a positive opinion with reservations because it expects the DG to rectify the following aspects:

- (1) The report is not sufficiently clear on Member States' views and support for the problems, and the need for EU legislative action. It does not explain on which issues, and why the views of different categories of stakeholders differ.**
- (2) The report is not sufficiently clear on the specific part of the 'travel gap' that will be tackled by the options considered. It is not clear on the expected level of the value added to the market for accessible tourism for each option.**
- (3) The report is not sufficiently clear on the impacts on public authorities, institutions and public budgets and on the distributional impacts across Member States. It does not sufficiently identify and present the quantitative cost and benefit estimates of all options as part of the effectiveness and efficiency assessment when comparing options.**

This opinion concerns a draft impact assessment which may differ from the final version.

(C) What to improve

(1) The report should bring out more clearly the views of Member States on essential parts of this initiative. For example, it should explain to what extent Member States support the problem analysis, the proportionality and EU value-added of policy options, and the justification for the selection of the preferred option. It should explain why some parts of stakeholder groups do not support some options or measures contained therein.

(2) The report should clarify upfront that the initiative is not intended to solve all problems facing disabled people when traveling but instead is focused on non discrimination. It should thus clarify the part and the root causes of the indicated ‘travel gap’ that will be tackled by the options considered in this report and the part of the ‘travel gap’ that is due to factors outside the scope of the initiative. On that basis, it should estimate the expected contribution of the options to reduce the total ‘travel gap’ (which according to the report amounts to EUR 4.5 billion of the total value added of the market for accessible tourism). It should explain to what extent the effective delivery of the options depends on the availability of potential complementary measures (such as financial support, availability of personal assistants, etc) which are outside the scope of this initiative.

(3) The report should further assess the impacts, costs and benefits for national administrations and public authorities, including local and regional public institutions, reflecting differences between Member States as well as those likely to be most affected. It should assess the potential risk that due to the increased travel intensity of persons with disabilities, public interest actors may face resources or budgetary challenges (e.g. investments in additional reserved parking capacity or price increases for subsidised services). It should discuss more thoroughly the impacts on the transport sector and ensure consistency of the presented estimates throughout the analysis. It should analyse distributional impacts across Member States, including potential substitution effects between domestic and intra-EU travel.

(4) The report should better present and integrate the available cost and benefit estimates into the efficiency and effectiveness assessment when comparing the options, thereby allowing a better understanding of the differences of the efficiency scores between options.

(5) The report should revise the One In, One Out section; it should only include costs and cost savings to citizens and businesses.

(6) Annex 3 should provide the benefits and costs of the preferred option in an integrated manner so that it is clear what the overall costs and benefits of the preferred combination of option are. All costs should be presented in total aggregate (EU) values (no cost estimate per capita, customer, card etc).

(7) The competitiveness check (Annex 5) should be reviewed; it should better explain the impacts on the affected EU tourism sectors and better justify the scoring on cost and price and international elements.

The Board notes the estimated costs and benefits of the preferred option in this initiative, as summarised in the attached quantification tables.

Some more technical comments have been sent directly to the author DG.

(D) Conclusion

The DG must revise the report in accordance with the Board’s findings before launching the interservice consultation.

If there are any changes in the choice or design of the preferred option in the final version of the report, the DG may need to further adjust the attached quantification tables to reflect this.

Full title	Legislative initiative on setting up the European Disability Card
Reference number	PLAN/2022/1525
Submitted to RSB on	21 June 2023
Date of RSB meeting	18 July 2023

ANNEX: Quantification tables extracted from the draft impact assessment report

The following tables contain information on the costs and benefits of the initiative on which the Board has given its opinion, as presented above.

If the draft report has been revised in line with the Board's recommendations, the content of these tables may be different from those in the final version of the impact assessment report, as published by the Commission.

Overview of Benefits (total for all provisions) – Preferred Option A2 and B2

Description	Amount	Comments
Direct benefits		
<i>Improved welfare</i> Increase in individual and societal welfare <i>Enhanced participation in short term travel</i> of persons with disabilities	Increase in the travel propensity of persons with disabilities ranging, reaching levels between 70% and 75% by 2030 relative to the 63% current level and 69% level expected by 2030 under the baseline scenario	The reduced uncertainty regarding the recognition of disability status and the subsequent provision of preferential conditions and personalised services to persons with disabilities travelling for short-term stays is expected to lead to an increase in both the share and number of persons with disabilities travelling in the EU. While the exact increase cannot be quantified, it was estimated, based on existing data on persons with disabilities and the evolution of travel patterns in the general population. This will in turn have a positive societal impact through improvements in the culture, social integration and personal development of persons with disabilities.
<i>Improved market efficiency</i> – Cost savings for persons with disabilities travelling	Ranging between EUR 30 and EUR 120 in total for persons with disabilities travelling for stays of about 4 days, between EUR 100 and 400 in total for persons with disabilities travelling for about 2 months	Cost savings for persons with disabilities currently being denied preferential conditions when travelling to other MS (or not travelling abroad), estimated at about 44% according to the results of the Public Consultations. These costs savings were identified through case studies of individual travellers journeys. These were elaborated as the potential direct monetary savings coming from the preferential conditions already provided by service providers, across different travel scenarios. The process leading to the elaboration of the journeys and the sources used are detailed in Section 3.2.2 of Annex III.
<i>Improved market efficiency</i> – Cost savings	n.a.	By reducing the difficulty and the time cost for service providers to check the

and general reduction in hassle costs for persons with disabilities and service providers

different national disability cards, the EDC would increase efficiency also on the side of service providers. .

Improved market efficiency – Improved information on the preferential conditions offered to persons with disabilities n.a.

Option A2 entails enhanced provision of information to persons with disabilities on the types of preferential conditions offered to them, via as the set up of national websites and the use of awareness raising campaigns (foreseen as non-legislative flanking measures) The increased awareness on the preferential conditions available and on the benefits offered by the EDC would improve efficiency in the sector of tourism of persons with disabilities, by allowing them to plan short term stays with more information at their disposal.

Indirect benefits

Wider macroeconomic benefits – Benefits in the market for accessible tourism At most + EUR 4.5billion per year of value added in the market for accessible tourism

The increased participation in tourism of persons with disabilities resulting from option A2 would have positive indirect benefits in the market for accessible tourism, whose total turnover would increase as a result of the policy. Estimates of the total output of this sector in 2012 put the total value added of the sector to the EU economy at about 62 billion EUR in 2012, with an indirect multiplier of 1.84. Considering the presence of a travel gap, i.e. a difference in travelling propensity between the general population and persons with disability, estimated at around 6% in the EU, a complete closure of the gap, which would imply 2 million more persons with disabilities travelling in the EU, would entail an increase of EUR 3.72 billion in total value added of the sector (4.5 if adjusted for inflation in 2023). This can be used as an upper bound: the actual gain is likely to be at a level significantly below this threshold, as uncertainty regarding preferential conditions is not the only driver of the travel gap between persons with disabilities and the general population.

Other non-monetary n.a.
benefits – Protection of
fundamental rights

Freedom of movement: the removal of barriers linked to the lack of mutual recognition of disability status across Member States would encourage persons with disabilities to travel, facilitating free movement.

Integration of persons with disabilities: increased participation in tourism of persons with disabilities would contribute to ensuring a deeper integration in European society.

Non-discrimination: the removal of uncertainty surrounding the recognition of disability status abroad and subsequent access to preferential conditions would help ensure equal access to services for persons with disabilities and avoid any potential for discrimination due to only nationals being able to access these conditions in their Member State.

Respects of elderly rights (art. 25 ECFR): the certainty of having access to preferential conditions when using certain services abroad would facilitate the travelling of the elderlies across the EU as they will be granted with the same assistance and support provided to elderlies with disabilities in the host Member States

Access to service of general economic interest (art. 36 ECFR): the mandatory provisions of preferential conditions for using certain services abroad would contribute towards the social and territorial cohesion of the Union as EU citizens with disabilities would be incentivised to travel across the Member States

Freedom to conduct a business (art. 16 ECFR): in accordance with Union law and national laws and practices: the EDC would not oblige service providers not offering any preferential conditions to persons with disabilities to do that, hence the freedom to conduct a business as established by Article 16 is recognised.

Table 3 – Overview of costs – Preferred option A2

Description		Amount		Stakeholders	Comment
Activity	Type of cost	One-off	Recurrent		
Production and delivery of EDCs	Direct adjustment costs	n.a.	Between EUR 15 and EUR 5 per Card. Cost are likely to decrease as production is scaled up	Administration	The costs of production and delivery can be estimated based on those incurred by Member States participating in the pilot project. These costs are included here as fixed costs, but they are likely to significantly decrease once production is scaled up as the number of EDCs increases.
Awareness raising campaigns	Direct enforcement costs	Between EUR 20,800 and EUR 70,400 per Member State	n.a.	Administration	The costs of carrying out awareness raising campaigns and setting up national websites can be estimated based on those incurred by Member States participating in the pilot project. The total costs would be reduced by the fact that not all Member States would implement these activities, as they are non-legislative flanking measures in
National websites	Direct adjustment costs	Between EUR 7,500 and EUR 23,000 per Member State	Below EUR 4,700 per Member State, lower in pilot Member States	Administration	

Description		Amount		Stakeholders	Comment
Activity	Type of cost	One-off	Recurrent		
Provision of preferential conditions to persons with disabilities from other Member States	Direct adjustment cost	n.a.	On average, below EUR 30 per customer for less than 1-2% of costumers (assuming optimistic convergence in the travel gap) In the transport sector, costs are estimated to range between 0.1 and 1.9 EUR per capita (0.2 to 3.9 EUR per capita including preferential conditions to personal assistant)	Service providers	option A2. The majority of respondents in the targeted survey on costs for service providers reported a small cost of offering preferential conditions. Moreover, service providers indicated that persons with disabilities from other Member States represent a very small portion of their client base For the transport sector, where the most significant preferential conditions are found and being closely related to short term stays, costs are estimated as having to offer preferential conditions to the 44% of PwD who has reported ever being denied preferential conditions when travelling abroad. The actual costs are likely closer to

Description		Amount		Stakeholders	Comment
Activity	Type of cost	One-off	Recurrent		
					the lower bound, due to the overlap with the elderly population.
Information collection on the EDC	Direct administrative costs	Negligible	Negligible	Administrations	Collecting information on service providers and number of cards. Costs of providing information to service providers.
Provision of information on preferential conditions	Direct adjustment costs	n.a.	Negligible	Service providers	Service providers would only need to provide information on the type of preferential conditions that they offer, an information often already provided publicly (e.g. on the website of the organisation, as evidenced in Annex VI). Furthermore, not all service providers would be mandated to provide such information, but only those that are mandated by law to provide preferential conditions. Hence, these costs are

Description		Amount		Stakeholders	Comment
Activity	Type of cost	One-off	Recurrent		
					expected to be negligible, as those that offer voluntarily preferential conditions would not be obliged by this provision
Costs related to the 'one in, one out' approach					
Total	Direct and indirect adjustment costs	n.a.	Between roughly 95,000 PPP EUR and 530,000 PPP EUR (as experienced by pilot MS over the period 2016-2018)	Administrations	Based on information on total implementation cost of the EDC scheme (including cost of production, national websites, awareness raising campaigns) in the pilot project.
	Direct and indirect adjustment costs	n.a.	Negligible	Service providers	Given that for most service providers, persons with disabilities from other Member States represent a small portion (less than 1%) of their total customers, the total cost for service providers can be assumed to be negligible.
	Administrative costs (for offsetting)	Negligible	Negligible	Administrations	Total cost collecting information on service providers and number of

Description		Amount		Stakeholders	Comment
Activity	Type of cost	One-off	Recurrent		
	Administrative costs (for offsetting)	n.a.	Negligible	Service providers	cards are negligible See comment above on direct administrative costs for service providers.

Overview of Benefits (total for all provisions) – Preferred Option B2

Description	Amount	Comments
Direct benefits		
<i>Improved welfare</i> – Increase in societal welfare due to enhanced participation in tourism of persons with disabilities	n.a.	The reduced uncertainty regarding the full recognition of EU parking cards for cardholders travelling to other Member States, resulting from option B2, is expected to lead to an increase in the number of persons with disabilities travelling in the EU. While the exact increase cannot be quantified, it is likely to be small as parking card holders are a portion of the total population of persons with disabilities, and travelling by car is one of the possible means of transport used by persons participating in tourism. Nevertheless, increased participation in tourism would have positive consequences in terms of increased personal development, social inclusion and culture for the cardholders involved.
<i>Improved market efficiency</i> – Cost savings for persons with disabilities travelling	Starting from 4 EUR per day	Option B2 would increase certainty regarding the recognition of EU parking cards for persons with disabilities travelling abroad. As a consequence, cardholders who may have previously sought for different parking solutions, for fear their parking card may not be recognised, would now be more likely to rely on parking slots reserved to them. These potential savings are quantified based on the average cost of parking in the EU, estimated in 2013 by the European Parking Association. The average cost of parking spots for the general public use was instead estimated at EUR 800 per space, per year. Adjusted per inflation and per day (instead of per year), this cost is estimated to be roughly 4 euro per day, which is certainly a lower bound as shorter periods tend to be more expensive. Other estimates calculating the average price of parking in 32

European cities have put the number at about EUR 3 per hour.

<p><i>Improved market efficiency</i> – Improved information on the parking rights of cardholders</p>	<p>Savings can be quantified as generally below EUR 300 in terms of avoided parking fines across the EU</p>	<p>Option B2 entails enhanced provision of information on how the EU parking card works and the scope of the rights associated with the EU parking card. Increased knowledge on these aspects may reduce improper use of the Card and, subsequently, fines (in SOLVIT, several complaints on the parking card concerned fines received by cardholders who believed that the rights granted by the EU parking card when travelling to other Member States were the same as those granted in their country of origin).</p>
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Indirect benefits

<p><i>Wider macroeconomic benefits</i> – Benefits in the market for accessible tourism</p>	<p>n.a.</p>	<p>Similarly to policy option A2, option B2 is expected to have indirect impacts on the market for tourism through an increased number of persons with disabilities travelling. The total magnitude of this indirect impact is, however, expected to be small due to the smaller number of cardholders compared to the wider population of persons with disabilities.</p>
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<p><i>Other non-monetary benefits</i> – Protection of fundamental rights</p>	<p>n.a.</p>	<p>Freedom of movement: the removal of barriers linked to the lack of mutual recognition of EU parking cards across Member States would encourage persons with disabilities to travel, facilitating free movement.</p> <p>Integration of persons with disabilities: increased participation in tourism of persons with disabilities would contribute to ensuring a deeper integration in European society.</p> <p>Non-discrimination: the removal of uncertainty surrounding the recognition of EU parking card would help ensure equal access to services for persons with disabilities and avoid any potential for discrimination due to only nationals being able to access these conditions.</p>
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Overview of costs – Preferred option B2

Description		Amount		Stakeholders	Comment
Activity	Type of cost	One-off	Recurrent		
Update of security features	Direct adjustment costs	n.a.	Negligible	Administration	These costs include the costs of updating security features only for the

Description		Amount		Stakeholders	Comment
Activity	Type of cost	One-off	Recurrent		
					Member States who have not yet done so and would have to comply with the new legislation.
Set-up of national database of cardholders	Direct adjustment costs	n.a.	Negligible	Administrations	
Set-up of websites with information on the parking card	Direct adjustment costs	Negligible	Negligible	Administrations	As Member States already have an EU parking card website, the only costs are associated with updating the information