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POSITION | TRANSPORT | INDUSTRIAL POLICY

Right of way for simplification

BDI proposals for an effective EU Transport Omnibus

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Making EU transport legislation simpler, leaner and fit for practice

Europe needs a high-performing, innovation-friendly and competitive regulatory framework for the transport sector. In practice, however, complex, fragmented and insufficiently coordinated rules make implementation more difficult. Reporting obligations, lengthy approval and certification procedures and overlapping regulation generate high administrative costs and tie up resources that companies need for investment, innovation and transformation.

Given high investment needs, intensifying international competition and the need for decarbonisation, reducing bureaucracy is a key lever for bringing new propulsion technologies, alternative fuels and digital solutions into practical use more quickly. Regulation must enable ambitious objectives, but must not make their implementation more difficult through excessive complexity, unclear responsibilities or conflicting requirements.

BDI therefore welcomes the European Commission's announcement that it will simplify existing legislation and reduce administrative burdens through omnibus initiatives. The planned Transport Omnibus should make consistent use of this opportunity and go beyond selective relief measures. In particular, it must reduce unnecessary reporting obligations, overlapping regulation, fragmented implementation, cumbersome administrative procedures and impractical evidence and documentation requirements.

An effective Transport Omnibus must not be limited to the remit of the Directorate-General for Mobility and Transport. Many burdens arise at the interfaces with climate, environmental, energy, tax and digital policy. Simplification therefore requires a cross-departmental review and better coordination of the rules concerned. Ongoing omnibus initiatives show that this is possible, for example the Defence Simplification Package, which includes amendments to the Connecting Europe Facility as a key funding instrument with a transport dimension. The Transport Omnibus should build on this approach and also address burdens arising from adjacent areas of legislation.

This paper identifies the priority areas for action from the perspective of German industry and puts forward concrete proposals for effective simplification.

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Table of Contents

Making EU transport legislation simpler, leaner and fit for practice 1

Potential for reducing bureaucracy within the remit of DG MOVE: 3

ReFuelEU Aviation and EU ETS: consolidate reporting obligations and avoid duplicate reporting 3

RefuelEU Aviation and RED: make the flexibility mechanism effectively usable 3

ReFuelEU Aviation: shift anti-tankering requirements to process-based audits 4

Connecting Europe Facility: simplify funding applications and reduce evidence requirements 4

Occurrence Reporting: better delineate reporting obligations and avoid duplicate reporting 4

Aviation Certification Framework: streamline and accelerate procedures for new aviation technologies 5

Rail Interoperability: make vehicle authorisation risk-based 5

Adapt driving and rest times for electric commercial vehicles to charging needs 5

Continuing Airworthiness Regulation: clarify responsibilities and enable data-based maintenance concepts 6

Train driving licences and complementary certificates: make licences and complementary certificates available digitally 6

Occupation of road haulage operator and road transport operator: target licensing requirements and improve register access 6

Cybersecurity in aviation security: adapt requirements to the level of risk 7

Focus aviation-security training on relevant groups and abolish repeat-training requirements 8

Aerodrome certification: clearly define changes requiring approval and simplify procedures 8

Potential for reducing bureaucracy in transport-related matters within the remits of DG ENER, DG CLIMA and DG ENV 8

RED, EU ETS and CORSIA: recognise RED-compliant SAF under CORSIA 8

ETS: avoid default maximum values for non-CO2 effects in the Monitoring, Reporting and Verification framework (MRV) 9

ReFuelEU Aviation and RED: simplify evidence of compliance with sustainability criteria 9

EU Deforestation Regulation: allow exemptions for aircraft spare parts and components needed for repairs or ad-hoc maintenance 9

EU Deforestation Regulation: introduce quantity thresholds for orders 10

Packaging and Packaging Waste Regulation: take aviation-specific requirements into account and reduce bureaucracy 10

Imprint 12

Potential for reducing bureaucracy within the remit of DG MOVE:

ReFuelEU Aviation[1] and EU ETS[2]: consolidate reporting obligations and avoid duplicate reporting

- **Challenge**: ReFuelEU Aviation and the EU ETS entail extensive and highly detailed reporting obligations for fuel deliveries, overlapping requirements along the supply chain and unclear divisions of roles between market participants. This creates significant additional administrative work in data and contract management, particularly owing to duplicate data collection, and greater coordination needs along supply chains. The use of sustainable aviation fuels (SAF) must be reported both under ReFuelEU Aviation and the EU Emissions Trading System (EU ETS 1); airlines that self-supply must additionally report on the supplier side. Reporting channels are not harmonised: supplier-side reporting under ReFuelEU Aviation takes place via the Union Database (UDB) or CIRCABC, while airline-side reporting is carried out via EASA and requires highly detailed documentation, including allocation to the EU ETS, UK ETS and CORSIA. The same data are submitted in parallel to the competent national authorities for EU ETS purposes. Deadlines also differ, alongside various national registers and continuously updated guidance. Since numerous reports, some subject to verification, are due within a few weeks in the first quarter, this creates a substantial peak administrative burden.

- **Solution**: Develop the UDB into the central European platform for fuel suppliers, airlines and authorities (see also the section on evidence requirements under the RED). The functionality of the UDB must be improved and interoperability established with the EASA Sustainability Portal and national systems such as Germany's Sustainable Biomass System (NABISY). It should also be ensured that the required documentation is made available to market participants at an early stage so that reporting deadlines can be met more easily. Finally, reporting deadlines under ReFuelEU Aviation, the EU ETS and CORSIA need to be staggered, as airlines currently have to submit numerous reports, some of them verified, within just a few weeks at the beginning of the year.

RefuelEU Aviation and RED[3]: make the flexibility mechanism effectively usable

- **Challenge**: The flexibility mechanism provided for in ReFuelEU Aviation, which is intended to enable the efficient placing on the market of sustainable aviation fuels (SAF) without emissions-intensive transport routes, has not yet achieved its potential in practice. One reason is that the RED allows Member States to define the entity placing fuel on the market, resulting in fragmented implementation across Europe and effectively preventing cross-border fulfilment of the quota obligation.

- **Solution**: Harmonise the definition of the entity placing fuel on the market (regulated entity).

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[1] Regulation (EU) 2023/2405
[2] Directive 2003/87/EC
[3] Directive (EU) 2018/2001

ReFuelEU Aviation: shift anti-tankering requirements to process-based audits

- **Challenge**: The current structure of the anti-tankering requirements under ReFuelEU Aviation (see European Commission Interpretative Guidance C/2024/5997, sections 4.1 and 4.2) establishes reporting requirements on a flight-by-flight basis, thereby creating a significant bureaucratic burden with complex documentation and reporting obligations for airlines and authorities. Recognition of recurring flight patterns as an exception to the regulation is either not granted at all or only to a limited extent.

- **Solution**: Move to a process-based audit approach focusing on companies' internal flight-planning and refuelling-decision procedures instead of evidence for individual flights.

Connecting Europe Facility: simplify funding applications and reduce evidence requirements[4]

- **Challenge**: Applications for and administration of funding from the Connecting Europe Facility (CEF) should be significantly simplified overall. In particular, the cost-benefit analysis required by Article 14(1) is highly burdensome and complex.

- **Solution:** Existing national assessments, for example those based on Germany's Federal Transport Infrastructure Plan, should therefore be recognised in order to avoid duplication of work and unnecessary administrative effort.

- **Challenge:** The current funding system based on reimbursement of eligible costs pursuant to Article 16 creates a high administrative burden for applicants and authorities.

- **Solution:** Greater emphasis should be placed on results-oriented funding instruments in accordance with Article 125 of the EU Financial Regulation, under which funding is tied to clearly defined results or milestones.

Occurrence Reporting: better delineate reporting obligations and avoid duplicate reporting[5]

- **Challenge:** Occurrence-reporting requirements generate additional documentation and reporting obligations that overlap with other reporting requirements. This results in parallel reporting structures and increases the administrative burden.

- **Solution:** To better protect sensitive company and development data, reporting obligations should be more closely limited to what is necessary and better coordinated with other systems in order to avoid duplicate reporting. A clearer distinction is also needed between mandatory occurrence reporting and voluntary safety reporting.

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[4] Regulation (EU) 2021/1153
[5] Regulation (EU) No 376/2014

Aviation Certification Framework: streamline and accelerate procedures for new aviation technologies[6]

- **Challenge**: Certification procedures are characterised by extensive requirements and lengthy processing times. This creates high administrative burdens and delays the introduction of new technologies.
- **Solution:** Procedures should be accelerated, simplified and further digitalised. Administrative requirements should be reduced at the same time. In addition, clear rules should be established for new technologies such as eVTOL and hydrogen.

Rail Interoperability: make vehicle authorisation risk-based[7]

- **Challenge**: Rail vehicle authorisation is characterised by complex procedures that in some cases have to be conducted in parallel. This results in duplicate processes and additional administrative effort.
- **Solution:** Article 21(12)(b) should trigger a new authorisation only where the change has specific negative effects on safety, rather than merely because of the possibility that the change may have an adverse effect.

Adapt driving and rest times for electric commercial vehicles to charging needs[8]

- **Challenge**: For reasons including safety and occupational health and safety, the Regulation prescribes fixed rest periods for drivers of commercial vehicles: a 45-minute break after 4.5 hours of driving and, as a rule, a daily rest period of at least 11 hours. With electric commercial vehicles, however, drivers need to synchronise breaks and rest periods more closely with the charging process. This concerns both precisely timing charging during a break or rest period and moving the vehicle at the beginning or end of the charging process.
- **Solution:** It should be established with legal certainty that the charging process counts as rest time for driving personnel. A practical and legally robust alignment of driving and rest times, working-time law and charging infrastructure is also required. It should therefore be examined to what extent the rules for drivers of electric commercial vehicles can be made more flexible. For example, within limited parameters, the 45-minute break required after 4.5 hours of driving should be adaptable to the actual availability of a charging point. This would allow the vehicle to be driven as needed to an available or reserved charging point without creating conflicts between charging planning and statutory break requirements. Further options should also be examined for moving a vehicle between a parking space and a charging point at the beginning or end of a charging process without undermining the recuperative function of the rest period as a whole. This would also support the efficient use of scarce charging infrastructure, since

[6] Regulation (EU) 2018/1139 and Regulation (EU) No 748/2012
[7] Directive (EU) 2016/797
[8] Regulation (EC) No. 561/2006

charging points should be made available to other vehicles as quickly as possible once charging is complete.

Continuing Airworthiness Regulation: clarify responsibilities and enable data-based maintenance concepts[9]

- **Challenge**: The Continuing Airworthiness Regulation and supplementary EASA requirements contain extensive documentation requirements and do not define the responsibilities of manufacturers and operators for maintenance and airworthiness with sufficient clarity. At the same time, the potential of data-based maintenance concepts is still insufficiently taken into account.

- **Solution:** More clearly delineate the responsibilities of manufacturers and operators and integrate data-based maintenance concepts more strongly.

Train driving licences and complementary certificates: make licences and complementary certificates available digitally[10]

- The European Commission should introduce full digitalisation of licences and complementary certificates. To make digitalisation in this area work successfully, there should be secure European data infrastructure for licences, certificates and medical and psychological fitness records. Digital credentials should be usable offline and comply with data-protection and cybersecurity requirements. In addition, the solution should be designed to be low-cost, practical and technologically open.

Occupation of road haulage operator and road transport operator: target licensing requirements and improve register access[11]

- **Challenge**: According to Article 1, paragraph 4(b) of this regulation, transportation companies must obtain a national transportation license for the commercial use of vehicles with a gross vehicle weight rating of more than 3.5 metric tons. Due to the additional weight of the battery, electric vans often exceed the 3.5-metric-ton weight limit and reach gross vehicle weights of up to 4.25 metric tons. This higher weight is necessary to ensure a comparable payload and operational capability compared to vehicles with internal combustion engines. This creates additional bureaucratic burdens for companies switching to zero-emission vehicles, as a transport license is required that is not needed for comparable vehicles with internal combustion engines.

- **Solution**: The licensing requirement for certain vehicle categories should be simplified and fully digitized. An exemption from the carrier's license requirement should be provided for electric commercial vehicles weighing more than 3.5 metric tons and no more than 4.25 metric tons. Comparable exemptions already exist for Class B driver's licenses and are being pursued

[9] Regulation (EU) No 1321/2014
[10] Regulation (EU) No 36/2010
[11] Regulation (EU) No1071/2009

in the Automotive Omnibus for tachographs and speed limiters; this logic should also apply here.

- **Challenge**: As part of their due diligence obligations, as described in Article 16, companies must verify that subcontractors hold the required transportation license before engaging them. However, the information needed for this is scattered across various national registries, which differ in terms of structure, accessibility, and language. This leads to a significant administrative burden, particularly in cross-border business relationships.

- **Solution**: A harmonized European registry that consolidates all national transport registries would significantly simplify the verification of transport licenses and reduce the administrative burden on companies.

Cybersecurity in aviation security: adapt requirements to the level of risk[12]

- **Challenge:** Companies which, in the Commission's view, have critical information and communication technology systems and data (ICT systems) relevant to aviation security are subject to comprehensive protective measures. Secure-supply-chain companies already invest heavily in protecting ICT systems in their own interest. ICT systems relevant to aviation security differ significantly among actors in the secure supply chain: the further an actor is from airports and flight operations, the fewer such systems and aviation-security risks there tend to be. In the case of known consignors, aviation security can be compromised only by tampering with goods. Tampering requires not only knowledge of the mode of shipment (air cargo) but also physical access to identifiable air cargo. All persons at known consignors who have or may have access to identifiable air cargo are trained (pursuant to point 11.2.3.9 of the Annex to Implementing Regulation (EU) 2015/1998) and vetted (in Germany, a background check pursuant to Section 7 of the Aviation Security Act). This also applies to persons who manage access to identifiable air cargo. At a known consignor, relevant ICT systems therefore exist only where compromising the systems and data concerned could enable third parties to gain access to identifiable air cargo at a point in the secure supply chain where consignments could be tampered with. Annex 1.7 to Implementing Regulation (EU) 2015/1998 does not currently reflect this. In their current form, the requirements create considerable uncertainty for affected companies and training and vetting requirements that require substantial resources for limited security gains, or are simply impossible to implement, for example where background checks of administrators in third countries are not available.

- **Solution:** ICT systems and data relevant to aviation security should be defined more narrowly. In addition, training and background-check requirements should be limited to persons with access to such systems and data and designed so that they can be implemented in practice.

[12] Attachment 1.7 of Implementing Regulation (EU) 2015/1998

Focus aviation-security training on relevant groups and abolish repeat-training requirements[13]

- **Challenge**: The scope of aviation-security training under this Implementing Regulation leads to overtraining of groups without corresponding security benefits. The obligation to repeat training after six months pursuant to point 11.4.3 of the Annex creates bureaucracy and extensive record-keeping requirements.

- **Solution:** The training requirement for persons with access to identifiable air cargo (point 11.2.3.9 of the Annex to Implementing Regulation (EU) 2015/1998) should be limited to persons who carry out security controls or have cargo-handling duties. This must be accompanied by a narrowly and practically defined understanding of "security controls". Persons who have unescorted access to security areas but do not carry out security controls or cargo-handling duties should receive less extensive training. The obligation to repeat training after six months (point 11.4.3 of the Annex to Implementing Regulation (EU) 2015/1998) should be abolished or, at a minimum, extended to 12 months.

Aerodrome certification: clearly define changes requiring approval and simplify procedures[14]

- **Challenge**: EASA aerodrome rules require airport operators to obtain prior approval from the competent authority for certain changes. However, the scope of changes requiring approval is not defined with sufficient precision. In practice, this causes legal uncertainty, extensive coordination processes and additional documentation, including for minor operational changes with no apparent impact on safety. Airports and authorities therefore devote significant staff resources to assessing and approving measures of limited safety relevance.

- **Solution:** Introduce a clear and exhaustive list of changes that require approval and those that do not. This can reduce administrative effort, procedural duration and legal uncertainty without compromising the existing level of safety.

Potential for reducing bureaucracy in transport-related matters within the remits of DG ENER, DG CLIMA and DG ENV

RED, EU ETS and CORSIA: recognise RED-compliant SAF under CORSIA

- **Challenge**: Sustainable aviation fuels (SAF) that comply with the EU's RED requirements, which are particularly ambitious by international standards, are not currently automatically recognised under CORSIA. For airlines, this results in costs and additional documentation.

- **Solution**: SAF that complies with the EU RED requirements should be automatically recognised under CORSIA and in its European implementation through the ETS by the EU and its

[13] Number 11.2.3.9 of the attachment of Implementing Regulation (EU) 2015/1998 and Number 11.4.3 of the attachment of Implementing Regulation (EU) 2015/1998
[14] Regulation (EU) 139/2014

Member States. To this end, the Commission should instruct national authorities to automatically recognise RED-compliant SAF as eligible under CORSIA without separate certification (cross-compliance mechanism).

ETS: avoid default maximum values for non-CO2 effects in the Monitoring, Reporting and Verification framework (MRV)[15]

- **Challenge:** Under the EU Emissions Trading System, airlines are required to participate in the EU Monitoring, Reporting and Verification framework (MRV) for recording non-CO2 effects. The MRV requires airlines to collect and report the characteristics of the fuel used for each flight. In practice, this information is often unavailable. If an airline does not provide information on the fuel used, the MRV applies a default value with particularly unfavourable characteristics, which may result in an assessment that overestimates the non-CO2 effects of the flight concerned.

- **Solution**: Suspend the collection of fuel property data and refrain from setting flat-rate maximum values. Regulatory measures require a sound scientific basis, which is not yet fully in place.

ReFuelEU Aviation and RED: simplify evidence of compliance with sustainability criteria[16]

- **Challenge:** Fuel suppliers are currently not required to provide airlines with the sustainability documentation (PoS/PoC) for the SAF they use. This makes it more difficult to account for greenhouse-gas emission reductions under EU ETS Aviation and CORSIA. Evidence management is also error-prone and inefficient because national (NABISY) and European (UDB and EASA Sustainability Portal) platforms are not interoperable.

- **Solution:** Require fuel suppliers to provide accurate sustainability certificates (PoS/PoC) in a timely manner and free of charge. Full interoperability between NABISY, UDB, and the EASA Sustainability Portal will, in the medium term, make it possible to eliminate the need for separate issuance of certificates, as the data would be directly accessible from the UDB.

EU Deforestation Regulation: allow exemptions for aircraft spare parts and components needed for repairs or ad-hoc maintenance[17]

- **Challenge:** The EU Deforestation Regulation (EUDR) requires companies to comply with extensive due-diligence and evidence obligations. For aircraft spare parts, this creates substantial bureaucracy, particularly in the case of short-notice safety-related repairs and unplanned maintenance. Because spare parts often have to be procured ad hoc and under severe time

[15] Art. 15(5) of Directive 2003/87/EC
[16] Article 28 (2) RED II, Implementing Regulation (EU) 2022/996; Article 31a RED III (Regulation (EU) 2023/2413)
[17] Regulation (EU) 2023/1115

pressure in remote regions, EUDR requirements disproportionately hinder the restoration of airworthiness and flight operations without making a relevant contribution to protection against deforestation. This affects not only airlines, but also the aviation industry and public bodies such as air forces and police helicopter operators.

- **Solution**: Introduce an exemption from the EUDR due diligence and record-keeping requirements for aircraft spare parts and components that must be procured as part of repairs or unscheduled maintenance.

EU Deforestation Regulation: introduce quantity thresholds for orders

- **Challenge:** The EU Deforestation Regulation requires companies to comply with extensive due-diligence and evidence obligations regardless of order value or product quantity. This creates a disproportionately high bureaucratic burden particularly for very small quantities, for example when ordering aircraft spare parts. In addition, reporting portals provide only for quantities in kilograms, including a minimum quantity. Many small technical parts, such as small rubber seals, cannot meaningfully be measured by mass or volume.

- **Solution**: Introduce an appropriate annual quantity threshold; below this threshold, due diligence and reporting obligations under the EUDR would not apply. In addition, reporting in units should be permitted to improve the practical applicability for the affected product groups. This would focus the regulation on relevant risks and avoid unnecessary administrative burdens.

Packaging and Packaging Waste Regulation: take aviation-specific requirements into account and reduce bureaucracy[18]

- **Challenge:** Many items of onboard packaging must, for safety and hygiene reasons (for example under ICAO, EASA or food-law requirements), be sealed, transparent or designed as single-use packaging. Strict and internationally harmonised requirements for packaging and unit-load devices also apply to air cargo. Unit-load devices are owned by airlines and coordinated and reused within a worldwide system throughout their life cycle for as long as safety requirements allow. They are subsequently disposed of, recycled or upcycled in accordance with the applicable rules. At present, however, only air-freight containers are excluded from the scope of the PPWR. Without harmonisation with the Packaging and Packaging Waste Regulation, conflicting objectives and regulatory uncertainty may arise. Questions arise, for example, in maintenance: intra-group and cross-site transfers of packaged components may be classified as making packaging available on the market once they take place in labelled reusable containers, even though the packaging never leaves a closed-loop system approved under aviation law. Registration and reporting obligations also create compliance costs: even individual spare-parts deliveries can trigger the obligation to appoint authorised representatives in several Member States.

[18] Regulation (EU) 2025/40

- **Solution**: Harmonization and practical implementation of the PPWR in line with aviation-specific regulations—in particular the guidelines of ICAO, EASA, and those pertaining to hygiene requirements in air transport (e.g., sealing, transparency, single-use requirements) and loading (auxiliary) equipment for air cargo shipments, taking into account the qualification and approval procedures associated with changes to packaging, materials, or supply chains, the specific safety, licensing, and certification requirements of the aerospace industry, as well as reducing bureaucracy through a more practical design of obligations. Existing returnable and reusable systems should not be adversely affected in the process.

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