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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the delegation of power under Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management

1. INTRODUCTION

Directive 2008/96/EC[1] of the European Parliament and of the Council ('the Directive') establishes a framework and an obligation for the EU Member States to perform road safety procedures aimed at improving the road safety aspects of both road projects and the built road infrastructure. The Directive's annexes provide an indicative and non-exhaustive list of aspects to be considered when performing road safety procedures.

The Directive was amended by Directive (EU) 2019/1936[2] of the European Parliament and of the Council. One of the amendments, Article 12, confers delegated powers on the Commission, stating that 'The Commission is empowered to adopt delegated acts in accordance with Article 12a amending the Annexes in order to adapt them to technical progress.'

In connection with this empowerment, under the Directive's Article 12a(2) the Commission is required to report to Parliament and the Council on the delegation of power conferred on it by the Directive, ensuring transparency and accountability in the exercise of its delegated powers.

2. EXERCISE OF THE POWER TO ADOPT DELEGATED ACTS

2.1. Delegated acts adopted

Since the entry into force of Articles 12 and 12a, the Commission has not exercised its delegated powers, and no delegated acts have been adopted under the Directive.

3. CONCLUSIONS

In accordance with Article 12a(2) of the Directive, the Commission will again prepare a report on delegated powers before the end of the next five-year period.

The Commission invites the European Parliament and the Council to take note of this report.

[1] Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management (OJ L 391, 29.11.2008, p. 59), ELI: http://data.europa.eu/eli/dir/2008/96/oj, as amended.

[2] Directive (EU) 2019/1936 of the European Parliament and of the Council of 23 October 2019 amending Directive 2008/96/EC on road infrastructure safety management (OJ L 305, 26.11.2019, p. 1), ELI: http://data.europa.eu/eli/dir/2019/1936/oj.