End-of-life vehicles. ELV Directive

1997/0194(COD) - 20/11/2009 - Follow-up document

The Commission presents its report on the implementation of Directive 2000/53/EC on end-of-life vehicles (ELV Directive) for the period 2005-2008.

After the first implementation report which covered the implementation period from 21 April 2002 to 21 April 2005 (for the Member States which joined the European Community on 1 May 2004 the period from 1 May 2004 to 21 April 2005), this report covers the period from 21 April 2005 to 21 April 2008 (for the Member States which joined the European Community on 1 January 2007 from this day to 21 April 2008).

Conformity studies run by the Commission on the national implementing measures have demonstrated that the Directive is generally well transposed, although there are some cases of non-conformity which are currently or can be subject to infringement procedures. Concerning the actual, practical implementation and enforcement of the legal provisions, Member States were able to provide more information than for the previous reporting period, but an exhaustive assessment of the overall situation cannot be made based on the received responses.

The main statements made in the report are as follows:

- All respondents took the necessary measures to ensure that economic operators – in most cases the producers and/or importers of vehicles – set up systems for the collection of end-of-life vehicles and (as far as technically feasible) of waste used parts removed when passenger cars are repaired, and to ensure the adequate availability of collection facilities within their territory.
- The number of authorised treatment facilities varies from 2 in Cyprus to more than 1,600 in the United Kingdom. In all countries measures were taken to ensure that all end-of-life vehicles are transferred to authorised treatment facilities. All Member States except Belgium reported having set up a system according to which the presentation of a certificate of destruction is a condition for deregistration of a vehicle. The
- Belgian case is followed by the Commission. All Member States except Belgium against which the Commission has started an infringement proceeding ensured that certificates of destruction issued in other Member States are mutually recognised and accepted by the competent authorities. The Bulgarian response was unclear and needs further investigation.
- All responding Member States indicated having adopted measures in line with the waste hierarchy in order to promote the reuse of components which are suitable for reuse and the recovery of components which cannot be reused, with a preference for recycling. All respondents introduced measures to ensure that the reuse/recovery and reuse/recycling targets set in the Directive are attained by the economic operators. Most Member States transposed the targets set in the Directive literally.
- Concerning the rates of reuse/recycling and reuse/recovery, the 2006 figures are available for all Member States except Ireland and Malta. In 2006, 19 Member States met the reuse/recycling target of 80% (the Czech Republic and France were close to meeting the target). The reuse/recovery target of 85% was met by thirteen Member States (Spain was close to meeting the target).
- 19 Member States reported having obliged the economic operators – mostly producers – to publish information concerning vehicle design, environmentally sound treatment, waste prevention and the progress achieved with regard to recovery and recycling. Only five Member States reported end-of-life vehicles with no or a negative market value delivered to authorised treatment facilities. The remaining Member States indicated no or a negligible amount of such cars due to high secondary raw material prices.

- The respondents did not in general notice any competition distortions between Member States, although there were several remarks in this context which are described in the report.

The Commission concludes that **there were no remarkable changes compared to the previous reporting period** as regards the incorporation of Directive 2000/53/EC into the national legislation of the Member States. Some of the provisions of the Directive have not yet been transposed fully or correctly, which is demonstrated by the number of infringement cases: in 2009, nine non-conformity cases and six cases for non-reporting were still pending. Several Member States failed to meet their reuse/recycling /recovery targets in 2006.

The Commission addressed a letter to these Member States seeking explanation for the reasons of failure and will discuss possible improvement. Overall, the implementation of the Directive should be further improved. The ongoing conformity checks and meetings with Member States will continue in order to address deficiencies in the implementation of this Community legislation.