

# Periodic roadworthiness tests for motor vehicles and their trailers. 'Roadworthiness package'

2012/0184(COD) - 13/07/2012 - Legislative proposal

**PURPOSE:** to support and to enforce roadworthiness testing of motor vehicles and their trailers with a view to enhance road safety and environmental protection ("Roadworthiness Package").

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**BACKGROUND:** before a vehicle may be put on the market, it has to fulfil all the relevant type or individual approval requirements guaranteeing an optimal level of safety and environmental standards. Following this approval, cars on the road have to be regularly submitted to periodic roadworthiness tests.

The goal of roadworthiness testing is to check the functionality of safety components, the environmental performance and the compliance of a vehicle with its approval.

The proposal aims at contributing to reach the target of a reduction of road fatalities by half until 2020 as laid down in the [Policy Orientations on Road Safety 2011-2020](#). It will also contribute to the reduction of emissions in road transport linked to poor maintenance of vehicles, following the [European Strategy on clean and energy efficient vehicles](#) as well as the [integrated energy and climate change policy](#).

The proposal is part of a package of measures which also includes: [a proposal on the amendment of Directive 1999/37/EC](#) on registration documents for vehicles and [a proposal for a regulation](#) on technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC.

**IMPACT ASSESSMENT :** the following options were considered:

- **Option 1:** the 'No policy change' approach where the present EU legal framework would be maintained;
- **Option 2:** the "Soft law approach" would consist in both better implementation and better monitoring of the application of existing legislation;
- **Option 3:** the "Legislative approach" would be based on two components: (a) revising upwards the minimum EU standards for periodic roadworthiness tests (PTI) and unexpected roadside inspections (RSI) and define mandatory standards; (b) in a second phase, the possible establishment of an EU harmonised data exchange system linking the existing databases.

The impact assessment has shown the benefits of a combination of a soft-law approach with a regulatory approach. Therefore, the soft-law measures have been integrated into the legislative texts.

**LEGAL BASIS:** Article 91 of the Treaty on the Functioning of the European Union (TFEU).

**CONTENT:** the "Roadworthiness Package" will carry over the existing requirements laid down in the existing legislative framework related to the roadworthiness regime, which covers roadworthiness tests (Directive 2009/40/EC), roadside inspections (Directive 2000/30/EC) and rules on the registration of vehicles (Directive 1999/37/EC).

Compared to the existing legislation on roadworthiness tests, the proposal extends the scope of the existing regime to new categories of vehicles, including motorcycles, as well as the frequency of inspections for older vehicles to those having reached a high mileage. The proposal also lays down new requirements on several issues related to the standard and quality of testing, namely:

**Access to information:** testing centres shall have access to the technical information necessary to perform the tests including those of electronic safety related components like ABS or ESC. Manufacturers shall provide access to such information as it is already in place for vehicle repair and maintenance information.

**Inspections:** the scope of vehicles to be tested will be extended to the powered two or three wheelers, light trailers up to 3.5 tons and tractors with a design speed exceeding 40 km/h. Considering the aspects of vehicle age and yearly mileage the test frequency of older cars will be increased and vehicles with high mileage will be subject to annual testing as it is already the case for taxis and ambulances. A time window of four month in which the roadworthiness test shall be performed will allow for sufficient flexibility for citizens and operators.

**Equipment to be used for testing:** the equipment to be used for testing shall fulfil certain minimum requirements allowing for an efficient performing of the test methods described. Detected deficiencies shall be assessed according to harmonised rules related to their risk to road safety.

**Qualifications and personnel training:** inspectors performing roadworthiness tests shall meet a certain level of knowledge and skills and be properly trained. Inspectors shall be free of any conflict of interests, in particular as regards economic, personal or family links with the holder of the vehicle registration. Roadworthiness test activities performed by authorised private bodies shall be subject to supervision.

**Results and penalties:** results of roadworthiness tests, including information on the vehicles mileage, shall be kept in national registers, which will facilitate the identification of mileage fraud. Odometer fraud should also be more systematically considered as an offence liable to a penalty.

**National contact points:** in several Member States a high number of private authorised test centres carry out roadworthiness tests. In order to ensure the efficient exchange of information between Member States, national contact points should be designated and certain common procedures such as a minimum to time limits and the nature of the information to be forwarded, should be specified.

**Commission's powers (delegated acts):** the Commission shall be empowered to amend the Regulation with a view to take into account, when appropriate, evolution of the EU type-approval legislation in relation with vehicle categories and to update the annexes to technical progress via delegated acts including inter alia alternative test procedures based upon modern emission after-treatment systems for checking the in use NOx and particulate emissions conformity which are still under development.

**BUDGETARY IMPLICATIONS:** the proposal has no implications for the EU budget.

**DELEGATED ACTS:** the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the EU.