

Registration documents for vehicles. 'Roadworthiness package'

2012/0185(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: Directive 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 for a regulation](#) on technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC and [a proposal for a regulation](#) on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/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.

CONTENT: the proposal will amend the existing requirements laid down in the existing legislative framework related to the registration documents for vehicles (Directive 1999/37/EC). It aims at improving the enforcement of the roadworthiness testing and roadside inspection regime, **notably in the case where the technical condition of a vehicle creates an imminent risk to road safety**.

Compared to the existing act, the proposal provides for more precise definitions on the place of registration of vehicles, withdrawal and cancellation of registrations. The proposal also lays down new

requirements on electronic vehicle registration registers and the follow up of notifications related to roadworthiness test results, re-registration and destruction of vehicles.

Withdrawal and cancellation of registrations : the proposal:

- ensures that vehicles which constitute an immediate risk to road safety due to dangerous defects are not allowed on the road by withdrawing their registration until another roadworthiness test has been passed successfully. It should not be necessary to go through the process of registration when the withdrawal is lifted again;
- introduces a degree of automatism whereby the original registration of vehicles which have been re-registered in another Member State are automatically cancelled. This avoids the existence of parallel registrations of vehicle in different Member States ;
- provides that registrations of vehicles that would need to be scrapped and those notified as 'end of life vehicle' shall be cancelled following its notification.

Electronic registers: the proposal also introduces the establishment of electronic registers containing all information related to the vehicle registration. This information will be made accessible for the purpose of roadworthiness testing as only a part of this information is printed on the registration certificates. The register provides for follow-up after notification of roadworthiness test results, re-registration and destruction of a vehicle.

Commission's powers: the Commission shall be empowered to update the annexes taking into account the evolution of the EU type-approval legislation in relation with the content of certificates of conformity as well as technical progress via delegated acts.

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.