

Single Market: simplifying the transfer of motor vehicles registered in another Member State

2012/0082(COD) - 09/07/2012 - Document attached to the procedure

OPINION OF THE EUROPEAN DATA PROTECTION SUPERVISOR

on the Commission proposal for a Regulation of the European Parliament and of the Council

on simplifying the transfer of motor vehicles registered in another Member State within the single market.

This Opinion describes the relevance of data protection in the context of vehicle **re-registration**, as well as a few further recommendations on specific data protection aspects that govern the **exchanges of data** amongst national motor vehicle registers.

Before the adoption of the Proposal, the EDPS was given the opportunity to provide informal comments. He welcomes (i) the fact that most of these comments have been taken into account in the Proposal and (ii) the fact that the specific list of data that may be exchanged amongst vehicle registration authorities has been clearly defined in Annex I of the Proposal.

The EDPS further recommends to:

- specify in Annex I the '**reasons for the destruction**' in predefined fields to choose from,
- make clear that the **obligation for a motor vehicle registration authority to gather the information** in Annex I from another competent authority and to transfer the data to its own register can only apply to data that the recipient competent authority would be authorised to process pursuant to EU law and/or its national law,
- add that vehicle registration authorities **should make easily accessible to the public the rules governing the processing of data** in the context of the re-registration of vehicles, which should include information on time limits for retention as well as the necessary information foreseen in Articles 10 and 11 of Directive 95/46/EC,
- clarify in the Proposal what is **the software** application mentioned in Annex II which will be used for the electronic exchanges of data, and what would be the role of the Commission, if any, in facilitating the interoperability between national registers,
- ensure that, if data are exchanged amongst national vehicle registration authorities **through an existing pan-European infrastructure**, they are appropriately segregated from other data that may be exchanged therein,
- add that the Commission should **evaluate regularly the adequacy of the security measures**, taking into account technological developments and the evolution of risks and that it should update the security measures where necessary.