

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

2012/0184(COD) - 02/07/2013 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 560 votes to 94, with 60 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC.

The matter was referred back to the committee responsible. The vote was therefore postponed.

Minimum requirements: the **technical requirements and test methods** as laid down in the Annexes should be considered as EU minimum standards and requirements with the aim of ensuring a high level of road safety and environmental protection. Member States should be allowed to maintain or introduce higher standards. The same applies to **qualification requirements to inspectors which should also be minimum ones.**

Roadworthiness testing: the definition should be clarified and adapted to the purpose of the periodic technical inspection test, which is to assess the correct functionality of the safety and environmental systems. The type-approval should only be a time-reference to understand what safety and environmental requirements relate to the vehicle. These requirements should not refer to the parts or components themselves.

Roadworthiness tests shall be carried out, in principle, **in the Member State in which the vehicle is registered** by the competent authority of that Member State or by a public body entrusted with the task by the State or by bodies or establishments certified and supervised by the State, including authorised private bodies. Members state that it is important that **test equipment manufactures** have access to data they need to develop properly functioning equipment.

Scope: the Regulation shall apply to, inter alia : (i) motor vehicles designed and constructed primarily for the carriage of persons and their luggage ; (ii) trailers designed and constructed for the carriage of goods or of persons as well as for the accommodation of persons ; (iii) from 1 January 2016 two- or three-wheel vehicles – vehicle categories L3e, L4e, L5e and L7e ; (iv) wheeled tractors of category T5 used mainly on public roads with a maximum design speed exceeding 40km/h.

In addition, this Regulation shall apply as from **1 January 2018** to the following vehicle categories unless the Commission demonstrates in its report that such a measure would be ineffective: (i) two- or three-wheel vehicles – vehicle categories L1e, L2e and L6e and (ii) vehicles used by armed forces, fire services, civil protection, emergency or rescue services.

Mandatory periodic roadworthiness tests may be extended by Member States to other vehicle categories. Member States shall inform the Commission of any extension decisions taken by them, giving reasons for those decisions.

Frequency of tests: Parliament proposes that vehicles of category M1, N1 and O2: be tested **four years after the date on which the vehicle was first registered, and thereafter every two years.** Vehicles of category T5 (tractors with a maximum design speed exceeding 40km/h) used mainly on public roads: **one year after the date on which the vehicle was first registered, and thereafter annually.**

Members have also introduced a measure whereby mandatory periodic roadworthiness tests may be extended by Member States to other vehicle categories.

The proposal provides that in the case where a vehicle of categories M1 or N1 reaches a mileage of 160 000 km on the first roadworthiness test after the vehicle was first registered, it shall be subject to a roadworthiness test thereafter annually. Members consider that there is a **risk of odometers manipulation** linked to the proposed provision. Therefore, they propose to delete this provision.

Historic cars: historical cars should be exempted from the scope of EU legislation. According to Parliament, the Member States should have **more discretion in setting their own national requirements to defining and testing those vehicles**. It suggests changing the definition to make it more flexible.

Re-registration: the vehicles holders should be allowed to rely on the valid roadworthiness test in case of re-registration. With a view to better application of the principle of free movement within the Union, the roadworthiness certificate issued in the original Member State of registration should be **mutually recognised** among Member States for the purpose of re-registration.

Roadworthiness certificate: a roadworthiness certificate shall also be available in **electronic format**. The Commission shall draw up a **standard European Union form** for roadworthiness tests. For the sake of document security and efficiency the report of the test should always be electronically and not demanded from the person presenting the vehicle for test, who often will not be the same as the owner of the vehicle. This should also apply as concerns the access of the enforcement authorities during roadside inspections.

Follow-up of deficiencies: the amended text stipulates that in the case of **major deficiencies**, the national competent authority may decide on the conditions under which a vehicle may be used before undergoing another roadworthiness test. In the case of **dangerous deficiencies**, the Member State or the competent authority may prevent or restrict the use of the vehicle on public roads until any dangerous deficiencies are rectified.

Testing facilities and equipment: testing centres in which inspectors perform roadworthiness tests shall be authorised by a Member State or by its competent authority. Testing centres for roadworthiness tests, whether privately or publicly operated, must meet minimum requirements to ensure good quality management. They must be **objective and ensure a high quality of vehicle testing**.

Inspectors: Member States shall promote **adequate training** for inspectors in line with the qualification requirements. In order to enhance **independency** of inspectors it is necessary to ensure that the same person is not involved in both, repairing and maintain the vehicle before testing and testing itself. Another amendment clarifies the differing tasks of inspectors (identification of deficiencies) and repair workshops (performance of repairs to remedy the deficiencies). Each Member State shall ensure that testing centres in its territory are **supervised**.

Administrative cooperation between Member States: the Commission shall examine what is the most efficient and effective way of establishing an electronic vehicle information platform by taking advantage of **existing and already implemented IT solutions** with regard to international data exchange so as to minimize costs and to avoid duplications.

The examination shall consider the most appropriate way to **link the existing national systems** with a view to exchange information on data related to roadworthiness testing and odometer readings.

The **information on the history of a vehicle** should be made available to inspectors testing that vehicle and, in anonymised form, to Member States, so as to help them plan and carry out measures to improve road safety, and also to the holder of the registration certificate or the vehicle owner.

Reports: no later than three years from the date of publication of this Regulation, the Commission shall submit a report to the European Parliament and the Council on the inclusion of **two- or three-wheel vehicles** in the scope of this Regulation.

No later than five years from the date of publication of this Regulation, the Commission shall submit a report on the implementation and the effects of this Regulation. It shall analyse the frequency of testing, the **level of harmonisation** of periodic roadworthiness tests and the effectiveness of the provisions on the mutual recognition of roadworthiness certificates and whether there is a need for higher European standards in order to achieve that goal.

Delegated acts: the report proposes to limit to **5 years** the delegation of powers conferred on the Commission, whereas before it was an indeterminate period of time.