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

2012/0082(COD) - 22/07/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Toine MANDERS (ADLE, NL) on the 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. The committee recommends that Parliament adopt its position in first reading following the ordinary legislative procedure, and amend the Commission proposal as follows:

Scope: Members seek to ensure that **fiscal rights** will not be affected by the introduction of the Regulation. The latter should therefore in no way impinge on the right to levy taxation on vehicles entering a particular Member State. Another amendment aims to counter circumstances where the proposed Regulation may unintentionally **lead to practices that result in tax avoidance.**

National contact point: in order to simplify the cross-border re-registration, the national contact point and a definition regarding the same has been introduced. Members state that this point should **serve as one contact point** for the exchange of information on vehicle registration.

Furthermore, Member States shall designate one national contact point responsible for the exchange of vehicle information and information about national and individual type approval issues relating to re-registration.

Place of registration for vehicles registered in another Member State: the amendments stated that companies, citizens and other legal entities should only be allowed to transfer a vehicle to other Member State **if they are registered** or have other proof of residence in that new Member State.

Registration procedure: where the holder of the registration certificate moves his normal residence to another Member State, he must request registration of a vehicle registered in another Member State **within a period of three months** (rather than six months) following the date on which he has moved his normal residence

In the event of a **change of owner** of a vehicle registered in a Member State and transfer of that vehicle to another Member State that is the place of normal residence of the new owner of the vehicle, the new owner shall request registration of the vehicle within **30 days following the transfer of the vehicle.**

Member States must provide for **penalties** if the holder of the registration certificate fails to request re-registration of the vehicle within the deadlines referred to.

Those penalties may include restrictions on the use of the vehicle until a successful re-registration.

In order to ensure road safety, the vehicle registration authority must be able to carry out a **check on a vehicle** if the roadworthiness certificate date has passed.

Member States shall **mutually recognise** roadworthiness certificates issued by other Member States, once their validity has been recognised at the time of re-registration. They shall also inform other Member States when a vehicle is re-registered in order to make sure that a vehicle is never registered twice in different Member States.

Secure database: three years after the date of entry into force of this Regulation. Member States shall provide for the possibility of **paperless online re-registration** of vehicles via a secure online database.

Refusal of registration: Members stipulated that vehicle registration authorities must refuse to register a vehicle registered in another Member State where: (i) vehicle registration documents are **lost or stolen**, unless the person seeking to register the vehicle can clearly demonstrate ownership of the vehicle; (ii) the **technical inspections were not successfully passed**; (iii) the holder of the registration certificate is unable to provide **proof of his identity** or has no **normal residence** in the Member State where he is seeking to register the vehicle.

Member States may also refuse registration where the vehicle has been fraudulently acquired, where the vehicle severely damages health and the environment and where **civil liability** in respect of the use of the vehicle is not covered by insurance.

In order to strengthen cooperation among Member States, Member States should notify each other when a re-registration has been refused.

Temporary registration: the request for a temporary registration certificate may be submitted to: (a) the vehicle registration authority of the Member State where the vehicle is acquired, or (b) the vehicle registration authority of the Member State of normal residence.

Within the period of validity of the temporary registration certificate, the person that has acquired the vehicle shall register the vehicle in his Member State of normal residence.

The temporary registration certificate issued by a vehicle registration authority of one Member State shall be recognised by the other Member States for the identification of the vehicle in international traffic or for its re-registration in another Member State.

Exchange of information: vehicle registration authorities shall use the most up-to-date version of the **European Vehicle and Driving Licence Information System (Eucaris)** software application. The Commission must make sure that the EUCARIS system works in the whole European Union. It will regularly evaluate the adequacy of the security measures relating to the **protection of the data** exchanged.

Professional registration: professional vehicle registration certificates must be issued to manufacturers of vehicles, manufacturers of vehicle parts, automotive repair shops, dealers and undertakings conveying vehicles across borders, technical services and inspection authorities.

Vehicles carrying a professional vehicle registration certificate may only be used for professional purposes by the employer and employees of the undertaking that has been issued with such a certificate.

Choice of vehicle number plate: Members proposed offering the choice to citizens and to business a number plate either in colours determined by national law or Union colours, so that number plates might have a uniform appearance for their fleet of vehicles. The registration of the vehicle remains under the competence of the Member State where the vehicle is registered.

Fraudulent use of number plates: the report proposed to ensure safeguards against fraudulent use of number plates through equipping the vehicle and its number plate with a radio-frequency identification (RFID) tag.