

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

2012/0184(COD) - 03/04/2014 - Final act

PURPOSE: to improve road safety by laying down minimum common requirements and harmonised rules concerning roadworthiness tests of vehicles within the Union ('Roadworthiness certificate').

LEGISLATIVE ACT: Directive 2014/45/EU of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC.

CONTENT: the Directive establishes **minimum requirements for a regime of periodic roadworthiness tests of vehicles used on public roads**. It is part of a package of measures on roadworthiness tests which include: i) [a Directive](#) on the technical roadside inspection of commercial vehicles and ii) [a Directive](#) on registration documents for vehicles.

Scope: the Directive applies to vehicles with a design speed exceeding 25km/h of the following categories:

- **passenger cars and light commercial vehicles (categories M1 and N1):** these vehicles will be tested four years after the date on which the vehicle was first registered, and thereafter every two years;
- **category M1 vehicles used as taxis or ambulances, buses or minibuses (M2, M3), heavy goods vehicles (N2, N3) and heavy trailers (O3, O4):** these vehicles will be tested one year after the date on which the vehicle was first registered, and thereafter annually;
- **fast tractors** with a maximum design speed exceeding 40km/h (T5) and which are used for commercial road haulage purposes: they will be tested four years after the date on which the vehicle was first registered, and thereafter every two years.

Only **powerful motorcycles** (category L vehicles with an engine displacement of more than 125cm³) will be subject to scrutiny **from 2022**. Member States may be exempted from this obligation if they demonstrate, on the basis of road safety statistics for the previous five years, the same level of road safety could be achieved by effective alternative road safety measures. In any case, Member States may decide for themselves the elements, methods and frequency of technical checks on these categories of vehicles.

Notwithstanding the date of a vehicle's last roadworthiness test, **the vehicle may be required to undergo a roadworthiness test before the dates referred to:** i) after an accident affecting the main safety-related components of the vehicle, such as wheels, suspension, deformation zones, airbag systems, steering or brakes; ii) where the holder of the registration certificate of a vehicle has changed; iii) when the vehicle has reached a mileage of 160 000 km; iv) in cases where road safety is seriously affected.

Among the vehicles which Member States may exclude from mandatory tests are vehicles of historic interest, diplomatic vehicles, vehicles used by the armed forces, forces responsible for law and order, fire services, vehicles used for agricultural and forestry purposes only on the territory of the Member State concerned, as well as vehicles used exclusively on small islands.

Responsibilities: each Member State shall ensure that vehicles registered in its territory are **periodically tested** in accordance with this Directive by testing centres authorised by the Member State in which those vehicles are registered.

Before 20 May 2018, the Commission will adopt, by means of implementing acts, a set of technical information on braking equipment, steering, visibility, lamps, reflectors, electrical equipment, axles, wheels, tyres, suspension, chassis, chassis attachments, other equipment and nuisance necessary for roadworthiness testing of the items to be tested.

Testing centres: minimum technical specifications shall be adopted for the centres and test equipment. Testing centres will have to **be authorised** by a Member State or by the competent authority. They will have to ensure the objectivity and the high quality of the vehicle testing.

The new inspectors who will carry out the tests must have a certain level of fitness and be free from any conflict of interest.

Assessment of deficiencies: deficiencies, assessed on the basis of the common rules, are classified into three categories: minor, major and critical. In the case of minor deficiencies only, the test shall be deemed to have been passed. In the case of dangerous deficiencies, the competent authority may decide that the vehicle in question is not to be used on public roads and that the authorisation for its use in road traffic is to be suspended for a limited period of time, without requiring a new process of registration.

Roadworthiness certificate: in the case of re-registration of a vehicle already registered in another Member State, each Member State shall **recognise the roadworthiness certificate** issued by that other Member State, as if it had itself issued that certificate, provided that the roadworthiness certificate is still valid. This measure does not apply to large motorcycles.

Likewise, Member States shall recognise, as a matter of principle, the validity of the roadworthiness certificate **in the event that the ownership of a vehicle changes** — having a valid proof of periodic roadworthiness test.

As from 20 May 2018 and at the latest by 20 May 2021, testing centres shall **communicate electronically**, to the competent authority of the Member State concerned, the information mentioned in the roadworthiness certificates which they issue.

The Commission should also examine the feasibility, costs and benefits of establishing an **European electronic vehicle information platform**.

Odometer fraud: in order to detect odometer fraud, the information included in the previous roadworthiness test is made available to the inspectors as soon as it is available electronically. Where **an odometer is found to have been manipulated with the aim of reducing the distance covered**, such manipulation shall be punishable by penalties.

Reports: no later than 30 April 2020, the Commission shall submit on the implementation and effects of this Directive.

No later than 30 April 2019, it shall submit a report on the effectiveness of the **possible inclusion** in the scope of this Directive, of light trailers (with a mass exceeding 0.75 tonnes but not exceeding 3.5 tonnes – category O2) and two-or three-wheeled vehicles.

ENTRY INTO FORCE: 19.05.2014.

TRANSPOSITION: no later than 20.05.2017. The measures shall apply from 20.05.2018.

DELEGATED ACTS: the Commission may adopt delegated acts in order to update the categories of vehicles as well as Annex 1 in respect of the list of test items, methods, reasons for failure and assessment

of deficiencies. The power to adopt delegated acts shall be conferred on the Commission for a period of **five years as from 19 May 2014**. The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification (this period can be extended for two months). If the European Parliament or the Council make objections, the delegated act will not enter into force.