

Cross-border exchange of information on road safety related traffic offences

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The Commission presented a report on the application of Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences (CBE Directive).

As a reminder, the CBE Directive aims to ensure a high level of protection for all road users by facilitating the cross-border exchange of information on road safety related traffic offences, and thereby facilitating the enforcement of sanctions, where those offences are committed with a vehicle registered in a Member State other than the Member State in which the offence took place.

Possible extension of the CBE Directive's scope: the Commission considered that the Directive's scope can be considered **adequate** as it covers the eight most important road safety related traffic offences. Offences such as speeding, failing to use a seat belt, drink driving and the use of communication devices (distraction) are a major threat to road safety and are often committed by non-resident drivers.

The addition of other offences to the scope of the CBE Directive has been suggested. These include: (i) **not keeping a sufficient distance from the vehicle in front;** (ii) **dangerous overtaking;** (iii) **illegal or dangerous parking.** On the other hand, the Commission is not in favour of adding tolling offences and non-payment of municipal charges or taxes to the scope of the Directive.

Impact of the Directive: according to the report, the CBE Directive is an **effective tool** with a significant potential to improve road safety by making possible identification of non-resident offenders through an electronic information system and by raising citizens' awareness of traffic rules and the applicability of sanctions in Member States.

According to the external evaluation study, the total number of detected offences covered by the CBE Directive and committed by non-residents/foreign vehicles in the EU is estimated at **10 million** for 2014.

The electronic information system which ensures the expeditious, secure and confidential exchange of vehicle registration data **is effective** since it has had a positive impact on the cross-border enforcement of sanctions: the number of investigated road traffic offences committed by non-residents quadrupled between 2013 and 2015 in the Member States that implemented the Directive.

Possible improvements: in order to improve the impact of the Directive, the report recommended a holistic approach to create a **synergy with other instruments**, namely those related to mutual assistance and cooperation between Member States in investigating road traffic offences and mutual recognition to financial penalties.

The report suggested in particular:

- **to better exploit the potential of the electronic information system:** in November 2016, 23 out of 28 Member States were connected to the system. Approximately 50% of detected road traffic offences committed by non-residents were not investigated, in 2015;
- **the possibility to introduce measures which could increase the reliability of automatic control equipment** (for instance harmonised EU-level standards, type approval procedures and periodic checks of automatic checking equipment);

- **strengthening the enforcement of sanctions** for investigated road traffic offences which are committed by non-residents: approximately 50% of investigated road traffic offences committed by non-residents are currently not successfully enforced because of the following issues with the enforcement chain not covered by the Directive: (i) **Member States' lack of mutual assistance and cooperation** in investigating road traffic offences after exchanging vehicle registration data; (ii) decisions issued by Member States in cases of non-payment of a financial penalty for these offences often do not fall under Council [Framework Decision 2005/214/JHA](#) on the application of the principle of mutual recognition to financial penalties;
- working on designing **standardised forms to facilitate the procedure for cross-border enforcement of financial penalties** under the Council Framework Decision 2005/214/JHA. Moreover, the number of mutually recognised decisions that fall under the Framework Decision and relate to financial penalties for road traffic offences is very low.