

# **Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community**

1998/0097(COD) - 02/12/1999 - Council position

The Council's common position accepts all of the amendments made by the European Parliament and accepted by the Commission in its amended proposal, with the exception of the amendment providing that the Member States submit their plans for roadside inspections to the Commission prior to implementation. The common position does not depart substantially from the Commission's proposal. However, it introduces certain changes, the following being the main ones : 1) limiting the scope of the Directive to inspections on the public highway except in the case of a more elaborated inspection justified on safety grounds; 2) abandoning the progressive, three step approach for roadworthiness inspection and replacing it with a simpler, not necessarily progressive approach. It is provided that the examiner carries out the roadworthiness inspection by performing one or two or all of the following inspections - a visual inspection of the maintenance condition of the stationary commercial vehicle; - inspection of the documents certifying the vehicle's conformity to the technical inspection and, if the driver produces one, of a recent roadworthiness inspection report; - an inspection aiming to detect maintenance defects covering one, some or all of the inspection items enumerated in the list Annex 1, point 10. These items include braking systems and exhaust emissions, the inspection methods for which are specified in Annex II. In this case, if the examiner carries out the inspection described above, he must take into account the latest and thus most recent documents and any other safety certificate, issued by an approved body, that the driver may produce; 3) the type of inspection applicable to vehicles subjected to further inspection : the common position lays down that the examiner may subject the vehicle to more elaborate inspection at a testing centre in the vicinity, designated by the Member State, if he considers that deficiencies in the maintenance of the vehicle may represent a safety risk such that, as regards the brakes in particular, further examination is justified; 4) the possibility for the driver to be exempt from a roadside inspection of one of the items listed in the draft Directive if he provides proof that a roadworthiness test or roadside inspection has already been carried out in the course of the previous two months; 5) the choice of the committee procedure, that is, the regulatory procedure rather than the consultative procedure; 6) the deletion of the system of penalties; 7) introduction of a standard roadworthiness inspection report.