

Basic information

2012/0186(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)
Regulation

Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union. 'Roadworthiness package'

Repealing Directive 2000/30/EC [1998/0097\(COD\)](#)

See also [2012/0184\(COD\)](#)

See also [2012/0185\(COD\)](#)

Subject

2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance

3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence

3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles

3.70.02 Atmospheric pollution, motor vehicle pollution

Procedure completed

Key players

European Parliament

Committee responsible

TRAN

Transport and Tourism

Rapporteur

[SEHNALOVÁ Olga \(S&D\)](#)

Appointed

08/10/2012

Shadow rapporteur

[FERBER Markus \(PPE\)](#)

[GRIESBECK Nathalie \(ALDE\)](#)

[DURANT Isabelle \(Verts /ALE\)](#)

[ROSBACH Anna \(ECR\)](#)

[RUBIKS Alfreds \(GUE/NGL\)](#)

Committee for opinion

ENVI

Environment, Public Health and Food Safety

Rapporteur for opinion

The committee decided not to give an opinion.

Appointed

ITRE

Industry, Research and Energy

[KARIŅŠ Krišjānis \(PPE\)](#)

25/10/2012

IMCO

Internal Market and Consumer Protection

The committee decided not to give an opinion.

Council of the European Union	Council configuration	Meetings	Date
	Transport, Telecommunications and Energy	3243	2013-06-06
	Agriculture and Fisheries	3307	2014-03-24
European Commission	Commission DG	Commissioner	
	Mobility and Transport	KALLAS Siim	
European Economic and Social Committee			
European Committee of the Regions			

Key events			
Date	Event	Reference	Summary
13/07/2012	Legislative proposal published	COM(2012)0382 	Summary
11/09/2012	Committee referral announced in Parliament, 1st reading		
30/05/2013	Vote in committee, 1st reading		
06/06/2013	Debate in Council		
17/06/2013	Committee report tabled for plenary, 1st reading	A7-0207/2013	Summary
01/07/2013	Debate in Parliament		
02/07/2013	Decision by Parliament, 1st reading	T7-0296/2013	Summary
02/07/2013	Results of vote in Parliament		
11/03/2014	Decision by Parliament, 1st reading	T7-0196/2014	Summary
11/03/2014	Results of vote in Parliament		
24/03/2014	Act adopted by Council after Parliament's 1st reading		
03/04/2014	Final act signed		
03/04/2014	End of procedure in Parliament		
29/04/2014	Final act published in Official Journal		

Technical information	
Procedure reference	2012/0186(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Directive 2000/30/EC 1998/0097(COD) See also 2012/0184(COD) See also 2012/0185(COD)

Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/10159

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE504.235	12/02/2013	
Amendments tabled in committee		PE508.051	28/03/2013	
Committee opinion	ITRE	PE506.082	26/04/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0207/2013	17/06/2013	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T7-0296/2013	02/07/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0196/2014	11/03/2014	Summary
Council of the EU				
Document type		Reference	Date	Summary
Draft final act		00012/2014/LEX	03/04/2014	
European Commission				
Document type		Reference	Date	Summary
Legislative proposal		COM(2012)0382 	13/07/2012	Summary
Document attached to the procedure		SWD(2012)0206 	13/07/2012	
Document attached to the procedure		SWD(2012)0207 	13/07/2012	
Commission response to text adopted in plenary		SP(2014)455	10/06/2014	
Follow-up document		COM(2020)0077 	04/03/2020	
Follow-up document		COM(2020)0676 	03/11/2020	
National parliaments				
Document type	Parliament/Chamber	Reference	Date	Summary
Contribution	DE_BUNDESRAT	COM(2012)0382	24/09/2012	
Contribution	PT_PARLIAMENT	COM(2012)0382	17/10/2012	

Contribution	BE_CHAMBER	COM(2012)0382	22/10/2012	
Contribution	CZ_SENATE	COM(2012)0382	13/02/2013	
Contribution	IE_HOUSES-OF-OIREACHTAS	COM(2012)0382	29/05/2013	

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Final act	
Corrigendum to final act 32014L0047R(01) OJ L 197 04.07.2014, p. 0087	Summary
Directive 2014/0047 OJ L 127 29.04.2014, p. 0134	Summary

Delegated acts	
Reference	Subject
2021/2776(DEA)	Examination of delegated act

Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union. 'Roadworthiness package'

2012/0186(COD) - 17/06/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Olga SEHNALOVÁ (S&D, CZ) on the proposal for a regulation of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC.

The committee recommends that the European Parliament's position adopted at first reading, following the ordinary legislative procedure, should amend the Commission proposal as follows:

Subject matter and scope: Members stipulate that technical roadside inspections shall be carried out **without discrimination** on grounds of the nationality of the driver or of the country of registration or entry into service of the commercial vehicle concerned.

Some models of tractors also have to be included into the scope of this Regulation as they are being frequently used on **public roads for commercial purposes**. This is the case for wheeled tractors of category T5 used mainly on public roads for commercial road haulage purposes, with a maximum design speed exceeding 40 km/h. Moreover, Members consider it appropriate to **test any trailer**, regardless of size or type, when used with N2 and N3 vehicles.

Roadside inspections: the report states that periodic testing should be the main tool to ensure roadworthiness. Technical roadside inspections of commercial vehicles should only be **complementary to periodic tests** and should be targeted at vehicles on the road which constitute an immediate risk to road safety.

Date and frequency of testing: Members suggest that by increasing the frequency of this vehicle safety inspection, additional tests, depending on vehicle category, do not begin until the second or third year after first registration and unnecessary testing can be avoided.

The total number of **initial roadside inspections** shall correspond to at least 5% of the total number of the following commercial vehicles referred to in the Regulation that are registered in its territory. At **least 5% of commercial vehicles that are not registered in its territory** but operating there shall be proportionally checked.

Roadside inspections risk rating system: a roadside inspections risk rating system based on the number and severity of deficiencies found on commercial vehicles during periodic roadworthiness tests and technical roadside inspections shall be introduced at **Union level**. The risk rating system shall be based on a national **electronic register interconnected** throughout the Union and operated by the competent authority in each Member State. Roadworthiness certificates and roadside inspection reports shall be in a **standard European Union form**.

Responsibilities: undertakings that operate vehicles which fall within the scope of this Regulation shall ensure that the vehicles which they operate are in **good roadworthy condition at all times** and that the original or a certified copy of the roadworthiness certificate and a proof of test issued in respect of the most recent roadworthiness test is **kept on board**.

Nature of road inspections: on each initial inspection of a vehicle, the inspector shall carry out a visual assessment of the **technical condition of the vehicle**. A more detailed roadside inspection shall include at least the **following areas:** chassis/frame, wheels and tyres, coupling equipment, noise and exhaust fumes.

Where the inspections are to be carried out in a testing centre, they must be carried as soon as possible out in the nearest centre.

Inspection of cargo securing: amendments state that inspectors may subject a vehicle to an inspection of the cargo securing in accordance with existing standards. The outcome of such an inspection shall not be introduced into the risk rating system until the rules on cargo securing are harmonised at Union level. The Commission shall submit to the European Parliament and to the Council a **report on the level of harmonisation in the area of cargo securing** in road transport and the checking thereof at the roadside. The report shall be accompanied, if appropriate, by a legislative proposal.

Roadside inspection: the results of the roadside inspection shall be communicated **electronically** to the registration authority of the vehicle, to the owner of the vehicle and, in the case of vehicles registered in another Member State, through the use of the **European Register of Road Transport Undertakings (ERRU)**, as provided for in Regulation (EC) No 1071/2009.

Cooperation between Member States: in the event that major or dangerous deficiencies are found, the name of the operator shall be provided to the contact point. **The Member State of registration shall provide information** to the authority performing a technical roadside inspection concerning the risk profile of the undertaking whose vehicle is being inspected. That information shall be provided by electronic means within a reasonable time.

Penalties: Members state that driving an unroadworthy vehicle on public highways should be a punishable act, although the failure to correct problems uncovered at a roadworthiness test should not be.

Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union. 'Roadworthiness package'

2012/0186(COD) - 02/07/2013 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted **amendments** to the proposal for a regulation of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC.

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

Subject matter and scope: Members stipulate that technical roadside inspections shall be carried out **without discrimination** on grounds of the nationality of the driver or of the country of registration or entry into service of the commercial vehicle concerned.

Members suggests including some models of tractors into the scope of this Regulation as they are being frequently used on **public roads for commercial purposes**. This is the case for wheeled tractors of category T5 used mainly on public roads for commercial road haulage purposes, with a maximum design speed exceeding 40 km/h. Moreover, Members consider it appropriate to **test any trailer**, regardless of size or type, when used with M2 and M3, N1, N2 and N3 vehicles.

Technical roadside inspections: the resolution states that periodic testing should be the main tool to ensure roadworthiness. Technical roadside inspections of commercial vehicles should only be **complementary to periodic tests** and should be targeted at vehicles on the road which constitute an immediate risk to road safety.

Date and frequency of testing: Parliament suggests that by increasing the frequency of this vehicle safety inspection, additional tests, depending on vehicle category, do not begin until the second or third year after first registration and unnecessary testing can be avoided.

The total number of **initial roadside inspections** shall correspond to at least 5% of the total number of the following commercial vehicles referred to in the Regulation that are registered in its territory. At **least 5% of commercial vehicles that are not registered in its territory** but operating there shall be proportionally checked.

Roadside inspections risk rating system: a roadside inspections **risk rating system** based on the number and severity of deficiencies found on commercial vehicles during periodic roadworthiness tests and technical roadside inspections shall be introduced at **Union level**. The risk rating system shall be based on a national **electronic register interconnected** throughout the Union and operated by the competent authority in each Member State.

Three years after the entry into force of the [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, roadworthiness certificates and roadside inspection reports shall comply with a standard European Union form. Roadworthiness certificates and roadside inspection reports shall be in a **standard European Union form**.

In order to allow undertakings to improve their risk profile, Members suggest that information on compliance with roadworthiness requirements from voluntary regular vehicle safety inspections by undertakings carried out in line with the following frequencies shall be taken into account when establishing the risk rating of an undertaking. Vehicles of categories N2, N3 and O4 shall be concerned.

The risk rating system shall contain the information on roadworthiness of vehicles referred to in the Regulation **four years** after the entry into force of this Regulation

Responsibilities: amendments state that undertakings that operate vehicles which fall within the scope of this Regulation shall ensure that the vehicles which they operate are in **good roadworthy condition at all times** and that the original or a certified copy of the roadworthiness certificate and a proof of test issued in respect of the most recent roadworthiness test is **kept on board**.

Nature of road inspections: on each initial inspection of a vehicle, the inspector shall carry out a **visual assessment of the technical condition of the vehicle**. A more detailed roadside inspection shall include at least the **following areas:** chassis/frame, wheels and tyres, coupling equipment, noise and exhaust fumes.

Where the roadworthiness certificate corresponding to the most recent roadworthiness test, voluntary regular vehicle safety inspection or a roadside inspection report demonstrates that an inspection of one of the items listed in Annex II has been carried out in the course of the **preceding three months**, the inspector shall not check that item, except where such inspection is justified on the grounds of an obvious deficiency.

Where the inspections are to be carried out in a testing centre, they must be carried as soon as possible out in the **nearest centre**.

Inspection of cargo securing: amendments state that inspectors may subject a vehicle to an inspection of the cargo securing in accordance with existing standards. The outcome of such an inspection shall not be introduced into the risk rating system until the rules on cargo securing are harmonised at Union level. The Commission shall submit to the European Parliament and to the Council a **report on the level of harmonisation in the area of cargo securing** in road transport and the checking thereof at the roadside. The report shall be accompanied, if appropriate, by a legislative proposal.

Roadside inspection: the results of the roadside inspection shall be communicated **electronically** to the registration authority of the vehicle, to the owner of the vehicle and, in the case of vehicles registered in another Member State, through the use of the **European Register of Road Transport Undertakings (ERRU)**, as provided for in Regulation (EC) No 1071/2009.

Cooperation between Member States: in the event that major or dangerous deficiencies are found, the name of the operator shall be provided to the contact point. **The Member State of registration shall provide information** to the authority performing a technical roadside inspection concerning the risk profile of the undertaking whose vehicle is being inspected. That information shall be provided by electronic means within a reasonable time.

Penalties: Members state that driving an unroadworthy vehicle on public highways should be a punishable act, although the failure to correct problems uncovered at a roadworthiness test should not be.

Delegated acts: Parliament proposes to limit the delegation of powers conferred on the Commission to **five years** (renewable) as opposed to an indeterminate period as proposed by the Commission.

Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union. 'Roadworthiness package'

2012/0186(COD) - 11/03/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 646 votes to 25 and 14 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC.

Parliament adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary were the result of an agreement reached between the European Parliament and the Council.

Subject matter: the amended Directive establishes **minimum requirements** for a regime of technical roadside inspections of the roadworthiness of commercial vehicles circulating within the territory of the Member States **in order to improve road safety and the environment**.

The Directive shall apply to commercial vehicles with a design speed exceeding 25 km/h of the following categories, as defined in Directive 2003/37/EC of the European Parliament and the Council and by Directive 2007/46/EC. It shall also apply to **wheeled tractors of category T5**, the use of which mainly takes place on public roads for commercial road haulage purposes, with a maximum design speed exceeding 40 km/h.

This Directive does not affect **the right of Member States to carry out technical roadside inspections on vehicles not covered by this Directive**, such as light commercial vehicles of category N 1 having a maximum mass not exceeding 3.5 tonnes, and to check other aspects of road transport and safety, or to carry out inspections in places other than public roads.

Roadside inspection system: the technical roadside inspection system shall include **initial technical roadside inspections and more detailed technical roadside inspections**. The total number of initial technical roadside inspections in the Union shall, in every calendar year, correspond to at least 5% of the total number of these vehicles that are registered in the Member States.

Each Member State shall make efforts to carry out **an appropriate number of initial technical roadside inspections**, proportionate to the total number of such vehicles that are registered in its territory.

Risk rating system: to facilitate roadside checks, the Member States shall be required to target companies whose commercial vehicles have poor results in terms of safety and to reduce the administrative burden of those which show good results.

Responsibilities: the roadworthiness certificate corresponding to the most recent periodic roadworthiness test, or a copy thereof or, in the case of an electronically produced roadworthiness certificate, a certified or original printout of that certificate, and the report of the most recent technical roadside inspection, **should be kept on board the vehicle** when they are available.

The company operating a vehicle and the driver of a vehicle subject to a technical roadside inspection must **cooperate with the inspectors** and provide access to the vehicle, its parts and all relevant documentation for the purposes of the inspection.

The holder of the registration certificate and, where applicable, the operator of the vehicle should be responsible for keeping the vehicle in a roadworthy condition.

Inspectors: when carrying out a technical roadside inspection, the inspector shall be **free from any conflict of interest** that could have any influence on the impartiality and objectivity of his decision. The reward of inspectors shall not be directly related to the results of initial or more detailed technical roadside inspections.

Inspection of cargo securing: securing of cargo is crucial for road safety. This is why during a roadside inspection a vehicle may be subject to an inspection of its cargo securing in order to ensure that the cargo is secured in such a way that it does not interfere with safe driving, or pose a threat to life, health, property or the environment. Cargo should therefore be secured in such a way as to cope with accelerations occurring during the use of the vehicle on road.

Personnel involved in checking whether cargo is adequately secured should be **appropriately trained**.

Follow-up in the case of major or dangerous deficiencies: the amended text states that any major or dangerous deficiency revealed by an initial or more detailed inspection is to be **rectified before the vehicle is further used on public roads**. Where major or dangerous deficiencies are found in a vehicle registered outside the Union, Member States may decide to inform the competent authority of the country.

In the case of any deficiencies which require prompt or immediate rectification due to any direct and immediate risk to road safety, the use of the vehicle in question may be **restricted or prohibited until those deficiencies have been rectified**.

In the case of deficiencies that do not require immediate rectification, the competent authority concerned may decide on the conditions and a reasonable timespan under which the vehicle may be used before the deficiencies are rectified.

Inspection fees: where deficiencies have been found following a more detailed inspection, Member States may require the payment of a reasonable and proportionate fee that should be linked to the cost of carrying out that inspection.

Cooperation and exchange of information: each Member State shall designate a contact point which shall ensure coordination with contact points designated by other Member States.

Furthermore on a yearly basis, Member States shall regularly undertake concerted roadside inspection activities.

Reporting: no later than eight years after the entry into force of the directive, the Commission shall submit to the European Parliament and to the Council a report on the application and effects of this Directive, in particular as regards the effectiveness and harmonisation of risk rating systems. That report shall be accompanied by a detailed impact assessment made available to the European Parliament and to the Council at least six months prior to the submission of any legislative proposal, if appropriate, to include new categories of vehicles within the scope of this Directive.

Transposition: the Member States shall have three years to transpose the directive and four years to implement its provisions.

Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union. 'Roadworthiness package'

2012/0186(COD) - 03/04/2014 - Final act

PURPOSE: to improve road safety by laying down minimum common requirements and harmonised rules concerning the technical roadside inspection of vehicles within the Union ('technical roadside inspection' package).

LEGISLATIVE ACT: Directive 2014/47/EU of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC.

CONTENT: in order to improve road safety and to reduce the environmental impact, the Directive establishes **minimum requirements for a regime of technical roadside inspection of the roadworthiness of commercial vehicles** circulating in the territory of Member States. It is part of a package of measures on roadworthiness tests which include: i) a [Directive](#) on periodic roadworthiness tests for motor vehicles and their trailers; and ii) a [Directive](#) on registration documents for vehicles.

Scope: the Directive applies to commercial vehicles such as buses, trucks and their trailers of at least 3.5 tons, as well as tractors used for commercial road haulage purposes and with a maximum speed of over 40 km/h (**catégories M2, M3, N2, N3, O3, O4, T5**).

Member States will be free to carry out technical roadside inspections on vehicles not covered by this Directive, such as **light commercial vehicles** (of less than 3.5 tons -category N1) and to check other aspects of road transport and safety, or to carry out inspections in places other than public roads.

Technical roadside inspections: technical roadside inspections should consist of **initial** and, where necessary, **more detailed inspections**, covering parts that are considered necessary, in particular, the safety of the brakes, tyres, wheels, and chassis, as well as nuisances.

In every calendar year, **at least 5% of the total number of vehicles that are registered in the European Union**, shall be subject to initial technical roadside inspections.

In order to ensure a fair distribution of costs between Member States, these last should make efforts to carry out an appropriate number of initial technical roadside inspections, **proportionate** to the total number of such vehicles that are registered in its territory.

Risk rating system: to facilitate roadside checks, the Member States will be required to use risk rating systems allowing inspectors to **identify undertakings with a high-risk profile**, so that they might be checked more closely and more often, if necessary. The Directive lists the criteria that Member States may apply to assign risk profiles to businesses. The provisions relating to the risk rating system shall apply **from 20 May, 2019**.

Responsibilities: the roadworthiness certificate corresponding to the most recent periodic roadworthiness test or a copy thereof or, in the case of an electronically produced roadworthiness certificate, a certified or original printout of that certificate, and the report of the most recent technical roadside inspection, **should be kept on board the vehicle** when they are available.

In addition, the Directive provides that the undertaking operating a vehicle subject to a technical roadside inspection and its driver **will be required to cooperate with the inspectors** and give them access to the vehicle, its parts and all the documents necessary for the inspection.

The inspectors must refrain from any discrimination on grounds of the nationality of the driver or of the country of registration when selecting a vehicle for a technical roadside inspection and be **free from any conflict of interest** that could have any influence on the impartiality and objectivity of his decision. The **reward** of inspectors must not be directly related to the results of roadside inspections that they carry out.

Cargo securing inspection: during a roadside inspection, a vehicle may be subject to an inspection of its cargo securing in order to ensure that the cargo is secured in such a way that it does not interfere with safe driving, or pose a threat to life, health, property or the environment. Personnel involved in cargo securing checks are to be **appropriately trained** for that purpose.

Follow-up in the case of major or dangerous deficiencies: Member States must provide that any major or dangerous deficiency revealed by an initial or more detailed inspection is to be **rectified before the vehicle is further used** on public roads.

In the case of any deficiencies which require prompt or immediate rectification due to any direct and immediate risk to road safety, the Member State or the competent authority concerned shall provide that the use of the vehicle in question **is to be restricted or prohibited** until those deficiencies have been rectified.

Inspection fees: where deficiencies have been found following a more detailed inspection, Member States may require the payment of a reasonable and proportionate fee that should be linked to the cost of carrying out that inspection.

Cooperation and exchange of information: each Member State shall designate a **contact point** which shall ensure, where appropriate, information exchanges and assist the contact points of other Member States. In addition, each year, the Member States shall regularly undertake **concerted roadside inspection activities**.

Report: no later than 20 May 2016, the Commission will report on the implementation and the effects of the Directive. The report shall analyse, in particular, the costs and benefits of the possible inclusion of light commercial vehicles and their trailers (categories N1 and O2) within the scope of this Directive.

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 changes to the vehicle categories as well as the Annexes. 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.

Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union. 'Roadworthiness package'

2012/0186(COD) - 03/04/2014 - Corrigendum to final act

Corrigendum to Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (*Official Journal of the European Union L 127 of 29 April 2014*)

Article 24(1):

for:

'... 20 May 2016 ...',

read:

'... 20 May 2020 ...'.

Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union. 'Roadworthiness package'

2012/0186(COD) - 13/07/2012 - Legislative proposal

PURPOSE: to support and to enforce roadworthiness testing of motor vehicles and their trailers with a view to enhance road safety and environmental protection ("Roadworthiness Package").

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: before a vehicle may be put on the market, it has to fulfil all the relevant type or individual approval requirements guaranteeing an optimal level of safety and environmental standards. Following this approval, cars on the road have to be regularly submitted to periodic roadworthiness tests.

The goal of roadworthiness testing is to check the functionality of safety components, the environmental performance and the compliance of a vehicle with its approval.

The proposal aims at contributing to reach the target of a reduction of road fatalities by half until 2020 as laid down in the [Policy Orientations on Road Safety 2011-2020](#). It will also contribute to the reduction of emissions in road transport linked to poor maintenance of vehicles, following the [European Strategy on clean and energy efficient vehicles](#) as well as the [integrated energy and climate change policy](#).

The proposal is part of a **package of measures** which also includes: [a proposal on the amendment of Directive 1999/37/EC](#) on registration documents for vehicles and [a proposal for a regulation](#) on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC.

IMPACT ASSESSMENT : the following options were considered:

- **Option 1:** the 'No policy change' approach where the present EU legal framework would be maintained;
- **Option 2:** the "Soft law approach" would consist in both better implementation and better monitoring of the application of existing legislation;
- **Option 3:** the "Legislative approach" would be based on two components: (a) revising upwards the minimum EU standards for periodic roadworthiness tests (PTI) and unexpected roadside inspections (RSI) and define mandatory standards; (b) in a second phase, the possible establishment of an EU harmonised data exchange system linking the existing databases.

The impact assessment has shown the benefits of a combination of a soft-law approach with a regulatory approach. Therefore, the soft-law measures have been integrated into the legislative texts.

LEGAL BASIS: Article 91 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the "Roadworthiness Package" will carry over the existing requirements laid down in the existing legislative framework related to the roadworthiness regime, which covers roadworthiness tests (Directive 2009/40/EC), roadside inspections (Directive 2000/30/EC) and rules on the registration of vehicles (Directive 1999/37/EC).

The main objective of the proposal is to provide for a **risk-rating system** aimed at focusing inspections on vehicles operated by undertakings with poor safety records, thus rewarding vehicles operated by undertakings that are mindful of safety and the environment.

The main points of the proposal are as follows:

Scope: light commercial vehicles and their trailers will be included into the scope of roadside test activities as this group of vehicles does not follow the downward trend in road fatalities.

Roadside inspections: to distribute better the roadside inspections by Member States a percentage of the number of registered commercial vehicles shall be inspected every year. The total percentage will not exceed the number of roadworthiness tests already performed in the Union.

- The selection of vehicles shall be based on the risk profile of the operators and target high risk undertakings to reduce the burden on the operators that maintain their vehicles in a proper way. Company profiling shall be based on the results of previous roadworthiness tests and roadside inspections similar.
- More elaborated roadside inspections shall be performed using testing equipment either by mobile inspection units or at test centres in close vicinity. The securing of cargo should be included in the roadside checks. Deficiencies detected shall be assessed according to harmonised rules related to their risk.

Training and qualifications: the level of knowledge and skills of inspectors performing roadside inspections shall meet at least the level of those conducting roadworthiness tests.

National contact points: cooperation and exchange of information between Member States and with the Commission will be performed more efficiently via designated points of contact in the Member States.

Commission's powers: the Commission shall be empowered to update the annexes to technical progress via delegated acts and to maintain the certificates and reporting forms in close cooperation with Member States via implementing acts including inter alia alternative test procedures based upon modern emission after-treatment systems for checking the in use NO_x and particulate emissions conformity which are still under development.

BUDGETARY IMPLICATIONS: the proposal has no implications for the EU budget.