Basic information

2012/0185(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Registration documents for vehicles. 'Roadworthiness package' Amending Directive 1999/37/EC 1997/0150(SYN) See also 2012/0186(COD) See also 2012/0184(COD) **Subject** 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	SAVISAAR-TOOMAST Vilja (ALDE)	03/10/2012
	Shadow rapporteur SARVAMAA Petri (PPE) ȚICĂU Silvia-Adriana (S&D) DURANT Isabelle (Verts /ALE) BRADBOURN Philip (ECR) RUBIKS Alfreds (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
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)0381	Summary
11/09/2012	Committee referral announced in Parliament, 1st reading		
30/05/2013	Vote in committee, 1st reading		
05/06/2013	Committee report tabled for plenary, 1st reading	A7-0199/2013	Summary
06/06/2013	Debate in Council		
01/07/2013	Debate in Parliament		
02/07/2013	Decision by Parliament, 1st reading	T7-0295/2013	Summary
02/07/2013	Results of vote in Parliament		
11/03/2014	Decision by Parliament, 1st reading	T7-0195/2014	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	2012/0185(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 1999/37/EC 1997/0150(SYN) See also 2012/0186(COD) See also 2012/0184(COD)
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/10163

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE500.465	07/02/2013	
Amendments tabled in committee		PE506.044	28/03/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0199/2013	05/06/2013	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T7-0295/2013	02/07/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0195/2014	11/03/2014	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00011/2014/LEX	03/04/2014	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2012)0381	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	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2012)0381	17/10/2012	
Contribution	BE_CHAMBER	COM(2012)0381	22/10/2012	
Contribution	CZ_SENATE	COM(2012)0381	13/02/2013	

Additional information

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

Final act

Directive 2014/0046
OJ L 127 29.04.2014, p. 0129

Summary

Registration documents for vehicles. 'Roadworthiness package'

2012/0185(COD) - 05/06/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Vilja SAVISAAR-TOOMAST (ADLE, EE) on the proposal for a directive of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles.

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:

Suspension of a registration: this shall mean an **administrative act** whereby, for a limited period of time, the vehicle is not authorised to be used in road traffic, following which – provided the reasons for suspension have ceased to apply – it may be used again without a new process of registration.

Cancellation of a registration: Members propose granting the **holder of the registration certificate** the possibility to submit a request to the competent authority for cancellation of the registration.

Validity of the certificate in case of re-registration: in case of re-registering a vehicle in another Member State or changing the owner of the vehicle, the technical conditions of the vehicle do not change and so the validity of the roadworthiness certificate should be **recognised and stated** on the new registration certificate. However, as Member States can decide on more frequent testing intervals than foreseen in the proposal for a regulation on roadworthiness tests, mutual recognition of validity shall be subject to the fact that the **frequency of testing** is not less in the original Member State than in the re-registering Member State.

Proof of the last roadworthiness test: in order to reduce the bureaucracy, Members consider it necessary to introduce the proof of the last roadworthiness test and the date for the next roadworthiness test (showing the validity of the roadworthiness test) on the registration certificate.

Mutual assistance: in order to facilitate checks specifically intended to combat fraud and the illegal trade in stolen vehicles and to check the validity of the roadworthiness certificate, it is appropriate to establish **close cooperation** between Member States, based on an effective exchange of information, by using **national electronic databases**.

Delegated acts: the report proposes to limit to **5 years** the delegation of powers conferred on the Commission, whereas before it was an indeterminate period of time.

Registration documents for vehicles. 'Roadworthiness package'

2012/0185(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 directive of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles.

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

Suspension of a registration: this shall mean an **administrative act** whereby, for a limited period of time, the vehicle is not authorised to be used in road traffic, following which – provided the reasons for suspension have ceased to apply – it may be used again without a new process of registration.

Cancellation of a registration: Members propose granting the **holder of the registration certificate** the possibility to submit a request to the competent authority for cancellation of the registration. In the event that a Member State registration authority receives a notification that a vehicle has been treated as an end-of-life vehicle, the registration shall be cancelled and this information shall be added to its electronic register. Such cancellation shall not involve a new process of registration.

Validity of the certificate in case of re-registration: in case of re-registering a vehicle in another Member State or changing the owner of the vehicle, the technical conditions of the vehicle do not change and so the validity of the roadworthiness certificate should be **recognised and stated** on the new registration certificate. However, as Member States can decide on more frequent testing intervals than foreseen in the proposal for a regulation on roadworthiness tests, mutual recognition of validity shall be subject to the fact that the **frequency of testing** is not less in the original Member State than in the re-registering Member State.

Proof of the last roadworthiness test: in order to reduce the bureaucracy, Parliament considers it necessary to introduce the proof of the last roadworthiness test and the date for the next roadworthiness test (showing the validity of the roadworthiness test) on the registration certificate.

Mutual assistance: in order to facilitate checks specifically intended to combat fraud and the illegal trade in stolen vehicles and to check the validity of the roadworthiness certificate, it is appropriate to establish **close cooperation** between Member States, based on an effective exchange of information, by using **national electronic databases**.

Delegated acts: Parliament proposes to limit to **5 years** the delegation of powers conferred on the Commission, whereas before it was an indeterminate period of time.

Registration documents for vehicles. 'Roadworthiness package'

2012/0185(COD) - 11/03/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 651 votes to 24 with 7 abstentions, a legislative resolution the proposal for a directive of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles.

Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of an agreement negotiated between Parliament and Council.

Safety and environmental protection: the amended text stresses that roadworthiness testing is a part of a wider regime ensuring that vehicles are kept in a safe and environmentally acceptable condition during their use. That regime should provide for periodic roadworthiness testing of vehicles and technical roadside inspection of vehicles used for commercial road transport activities as well as a vehicle registration procedure allowing for the suspension of a vehicle's authorisation to be used in road traffic where the vehicle constitutes an immediate risk to road safety.

Electronic record: Member States shall record electronically data on all vehicles registered on their territory. Those data shall include:

- all mandatory elements and other non-mandatory data listed in Annex I or data from the certificate of conformity as provided for in Directive 2007/46/EC where possible;
- **the outcome of mandatory periodic roadworthiness tests** in accordance with Directive of the European Parliament and of the Council and the period of validity of the roadworthiness certificate. The processing of personal data in the context of this Directive shall be carried out in accordance with Directives 95/46/EC and 2002/58/EC of the European Parliament and of the Council.

Suspension and cancellation: where the competent authority of a Member State receives notification of a periodic roadworthiness test showing that the authorisation to use a particular vehicle in road traffic has been suspended, **the suspension shall be recorded electronically.** The suspension shall be effective until the vehicle has passed a new roadworthiness test. On successful completion of the roadworthiness test, the competent authority shall without delay re-authorise the use of the vehicle in road traffic. **No new process of registration shall be necessary.**

Member States or their competent authorities may adopt measures to facilitate the retesting of a vehicle the authorisation of which for use in road traffic has been suspended. Those measures may include the grant of permission to travel on public roads between a place of repair and a test centre for the purpose of a roadworthiness test.

Parliament states that **an obligation to cancel permanently** the registration of a vehicle notified as having been treated as an end-of-life vehicle in accordance with Directive 2000/53/EC should be introduced. Member States have the option of specifying in national law other reasons for cancelling a vehicle registration.

Even where a vehicle registration has been cancelled, it should be possible to retain a record of that registration.

Mutual recognition: Member States shall, as a matter of principle, recognise the validity of the roadworthiness certificate in the event that the ownership of a vehicle – which has a valid proof of periodic roadworthiness test – changes.

Mutual assistance: Member States shall assist one another in the implementation of the Directive. They may exchange information at bilateral or multilateral level in particular so as to check, before any registration of a vehicle, the latter's legal status, where necessary in the Member State in which it was previously registered. Such checking may in particular involve the use of an electronic network, comprising data from national electronic databases to facilitate the exchange of information.

Registration documents for vehicles. 'Roadworthiness package'

2012/0185(COD) - 03/04/2014 - Final act

PURPOSE: to improve road safety by the establishment of common minimum requirements and harmonised rules applicable to technical checks on Union vehicles (‘roadworthiness testing’ package).

LEGISLATIVE ACT: Directive 2014/46/EU of the European Parliament and of the Council amending Council Directive 1999/37/EC on the registration documents for vehicles.

CONTENT: the Directive **amends existing requirements contained in the current legal framework for the registration documents for vehicles** (Directive 1999/37/EC). It is designed to improve the application of technical testing and roadside inspction regimes, particulary where the roadworthiness of a vehicle constitutes an immediate risk to road safety. The Directive is part of a set of measures on technical testing which also includes: i) a Directive on periodic roadworthiness tests for motor vehicles and their trailers; and ii) a Directive on technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union.

The amendments introduced concern the following points:

Electronic data recording: the Directive provides that Member States shall **record electronically** data on all vehicles registered on their territory, including the outcome of mandatory periodic roadworthiness tests in accordance with Directive 2014/45/EU of the European Parliament and of the Council and the period of validity of the roadworthiness certificate. Technical vehicle data shall be made available to the competent authorities or testing centres for the purpose of periodic roadworthiness testing.

Cancellation and suspension: where vehicles have failures that require them to be withdrawn from circulation, the Directive makes a distinction between the cancellation of the registration of an end-of-life vehicle and the **suspension** of the authority to use a vehicle, **which will be lifted as soon as the vehicle has successfully passed a new roadworthiness test**. In this case, no new registration procedure will be required.

Mutual recognition: in the event that the **ownership of a vehicle**, which has a valid proof of periodic roadworthiness test, changes, the validity of the roadworthiness certificate shall, as a matter of principle, be recognised by Member States.

Mutual assistance: the Member States shall assist one another in the implementation of this Directive. They may **exchange information** so as to check, before any registration of a vehicle, the latter's legal status, where necessary in the Member State in which it was previously registered. Such checking may in particular involve the use of an electronic network.

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 point II.4, second indent and point III.1.A (b) of both Annex I and Annex II, in the event of enlargement of the Union, and to update point II.6 of Annex I in relation to non-mandatory elements in the event of changes of definitions or of the content of certificates of conformity in the relevant Union type-approval legislation. 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.

Registration documents for vehicles. 'Roadworthiness package'

2012/0185(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: Directive 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 for a regulation on technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC 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 and 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.

CONTENT: the proposal will amend the existing requirements laid down in the existing legislative framework related to the registration documents for vehicles (Directive 1999/37/EC). It aims at improving the enforcement of the roadworthiness testing and roadside inspection regime, **notably in the case where the technical condition of a vehicle creates an imminent risk to road safety**.

Compared to the existing act, the proposal provides for more precise definitions on the place of registration of vehicles, withdrawal and cancellation of registrations. The proposal also lays down new requirements on electronic vehicle registration registers and the follow up of notifications related to roadworthiness test results, re-registration and destruction of vehicles.

Withdrawal and cancellation of registrations : the proposal:

- ensures that vehicles which constitute an immediate risk to road safety due to dangerous defects are not allowed on the road by withdrawing their registration until another roadworthiness test has been passed successfully. It should not be necessary to go through the process of registration when the withdrawal is lifted again;
- introduces a degree of automatism whereby the original registration of vehicles which have been re-registered in another Member State are automatically cancelled. This avoids the existence of parallel registrations of vehicle in different Member States ;
- provides that registrations of vehicles that would need to be scrapped and those notified as 'end of life vehicle' shall be cancelled following its notification.

Electronic registers: the proposal also introduces the establishment of electronic registers containing all information related to the vehicle registration. This information will be made accessible for the purpose of roadworthiness testing as only a part of this information is printed on the registration certificates. The register provides for follow-up after notification of roadworthiness test results, re-registration and destruction of a vehicle.

Commission's powers: the Commission shall be empowered to update the annexes taking into account the evolution of the EU type-approval legislation in relation with the content of certificates of conformity as well as technical progress via delegated acts.

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

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the EU.