Basic information

2023/0052(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Cross-border exchange of information on road-safety-related traffic offences Amending Directive 2015/413 2014/0218(COD) **Subject** 1.20.09 Protection of privacy and data protection 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	ZŁOTOWSKI Kosma (ECR)	14/04/2023
	Shadow rapporteur LUTGEN Benoît (EPP) LIBERADZKI Bogusław (S&D) BILBAO BARANDICA Izaskun (Renew) CUFFE Ciarán (Greens/EFA) KOUNTOURA Elena (The Left)	

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	
LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	4069	2024-12-16

European

Commission DG	Commissioner

Commission	Mobility and Transport	VĂLEAN Adina
European Economic and Social Committee		
European Committee of the Regions		

Key events

Date	Event	Reference	Summary
01/03/2023	Legislative proposal published	COM(2023)0126	Summary
16/03/2023	Committee referral announced in Parliament, 1st reading		
29/11/2023	Vote in committee, 1st reading		
29/11/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
05/12/2023	Committee report tabled for plenary, 1st reading	A9-0396/2023	Summary
11/12/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
13/12/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
09/04/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2024)001673 PE760.876	
24/04/2024	Decision by Parliament, 1st reading	T9-0324/2024	Summary
24/04/2024	Results of vote in Parliament		
16/12/2024	Act adopted by Council after Parliament's 1st reading		
19/12/2024	Final act signed		
30/12/2024	Final act published in Official Journal		

Technical information

Procedure reference	2023/0052(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2015/413 2014/0218(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 091-p1
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/9/11407

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE749.236	01/06/2023	
Amendments tabled in committee		PE750.086	08/07/2023	
Committee report tabled for plenary, 1st reading/single reading		A9-0396/2023	05/12/2023	Summary
Text agreed during interinstitutional negotiations		PE760.876	20/03/2024	
Text adopted by Parliament, 1st reading/single reading		T9-0324/2024	24/04/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2024)001673	20/03/2024	
Draft final act	00077/2024/LEX	19/12/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2023)0126	01/03/2023	Summary
Document attached to the procedure	SEC(2023)0351	01/03/2023	
Document attached to the procedure	SWD(2023)0126	01/03/2023	
Document attached to the procedure	SWD(2023)0127	01/03/2023	
Commission response to text adopted in plenary	SP(2024)394	08/08/2024	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	RO_SENATE	COM(2023)0126	12/05/2023	
Contribution	CZ_SENATE	COM(2023)0126	05/06/2023	
Contribution	CZ_CHAMBER	COM(2023)0126	12/06/2023	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1806/2023	27/04/2023	

Additional information		
Source	**Document**	**Date**
EP Research Service	Briefing	18/01/2024
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	**Role**	**Committee**	**Date**	**Interest representatives**
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	27/02/2024	EUROTRAN Conseil
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	15/02/2024	Presidencia Belga del Consejo
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	11/01/2024	European Transport Safety Council
ZŁOTOWSKI Kosma	Rapporteur	TRAN	09/11/2023	Polish Organisation of Parking Industry
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	07/11/2023	REPER BE
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	26/10/2023	REPER España
ZŁOTOWSKI Kosma	Rapporteur	TRAN	12/07/2023	European Parking Association
ZŁOTOWSKI Kosma	Rapporteur	TRAN	29/06/2023	Federation of European Motorcyclists' Associations
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	28/06/2023	European Transport Safety Council
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	26/06/2023	European Parking Association
BILBAO BARANDICA Izaskun	Shadow rapporteur	TRAN	20/06/2023	Car Rental Coalition
ZŁOTOWSKI Kosma	Rapporteur	TRAN	10/05/2023	European Transport Safety Council
CUFFE Ciarán	Shadow rapporteur	TRAN	14/04/2023	European Transport Safety Council

Other Members

Transparency		
Name	**Date**	**Interest representatives**
KIRCHER Sophia	03/10/2024	The International Motor Vehicle Inspection Committee

Final act	
Directive 2024/3237 OJ OJ L 30.12.2024	Summary

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

2023/0052(COD) - 01/03/2023 - Legislative proposal

PURPOSE: to lay down new measures to facilitate cross-border exchange of information on road-safety-related traffic offences in the EU.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Directive (EU) 2015/413 on facilitating cross-border exchange of information on road-safety-related traffic offences (the CBE Directive) facilitates the cross-border exchange of information on road-safety-related traffic offences and thereby lowers the impunity of non-resident offenders. An effective cross-border investigation and enforcement of road-safety-related traffic offences improves road safety as it encourages non-resident drivers to commit fewer offences and drive more safely.

In the EU, road safety has improved quite significantly over the last 20 years. The number of road fatalities has gone down by 61.5% from around 51 400 in 2001 to around 19 800 in 2021. Nevertheless, the improvement in road safety has not been strong enough to meet the EU's political ambition to decrease the number of road deaths by 50% between 2001 and 2010, and by additional 50% between 2011 and 2020 (i.e. by 75% between 2001 and 2020).

The European Parliament adopted a resolution on the EU Road Safety Policy Framework 2021-2030 in October 2021. While the Parliament acknowledges the progress made, it called on the Commission to review the CBE Directive, as the existing framework does not adequately ensure investigation of the offences in order to enforce penalties with around 20% of all investigations concerning the offences committed with vehicles registered abroad failing because of technical issues, such as availability of accurate information in national vehicle registers and identification of the liable person. Furthermore, procedural and fundamental rights of non-resident drivers are not always respected in the context of cross-border investigations, in particular due to a lack of transparency in the setting of the amount of the fines and in the appeal procedures.

This proposal forms part of a package that concerns the revision of two other related directives:

- Directive 2006/126/EC on driving licences.

- a proposal for a Directive on the Union-wide effect of certain driving disqualifications.

CONTENT: this Commission proposal seeks to **further enhance road safety** by extending the scope of the CBE Directive to other road-safety-related traffic offences and streamlining (i.e. simplifying, digitising and refining) the investigation of road-safety-related traffic offences committed abroad, thus facilitating the cross-border enforcement of sanctions. It also aims to improve the protection of fundamental rights of non-resident drivers.

The objectives to unlock the full potential of the Directive are to:

1. Increase compliance of non-resident drivers with additional road-safety-related traffic rules;

2. Streamline mutual assistance procedures between Member States in the cross-border investigation of road-safety-related traffic offences;

3. Strengthen the protection of fundamental rights of non-resident offenders, including alignment with new EU rules on personal data protection.

The proposal amends the existing Directive or adds new elements such as:

- the **extension of the scope** of the CBE Directive to other road-safety-related traffic offences, namely: (i) not keeping sufficient distance from the vehicle in front; (ii) dangerous overtaking; (iii) dangerous parking; (iv) crossing one or more solid white lines; (v) wrong-way driving; (vi) not respecting the rules on the creation and use of emergency corridors; and (vii) use of an overloaded vehicle;

- the clarification of existing definitions and adding definitions of the newly included road-safety-related traffic offences;

- new provisions on increased responsibilities and competences of national contact points;

- the exchange of **vehicle registration data** ('VRD') should be carried out through a **single electronic system** – the European Vehicle and Driving Licence Information System (Eucaris) – so as to ensure the expeditious, cost-efficient, secure and reliable exchange of specific VRD between Member States. Member States are also required to keep certain VRD available and up to date. In the cases where a vehicle has been **leased** (or subject to a long-term rental arrangement), Member States are allowed to conduct automated searches in vehicle registers to retrieve the data on end users of vehicles where available. A data retention period is established as regards the identity of the previous owners, holders, and end users of the vehicles to provide authorities with the appropriate information they need for the investigation of the offences;

- the specification of the minimum content of the **information letter**, which has to include, in particular, the information on the committed offence, sanctions imposed, appeal procedures, payment of financial penalties – including mitigating measures –, the applicable data protection rules, and if applicable, information on the entity empowered by a Member State to collect financial penalties which sent the information letter;

- the obligation for the Commission to establish a **dedicated IT portal** to facilitate exchanging information between national contact points, other relevant authorities of Member States, and road users, e.g. on road-safety-related traffic rules in force in Member States, appeal procedures and applied sanctions;

- the provision of **financial support** to promote cross-border cooperation in the enforcement of road-safety-related traffic rules in the EU. A legal basis is established for EU funding of activities aimed at exchanging best enforcement practices, the application of smart enforcement methodologies and techniques in Member States, increasing the capacity building of enforcement authorities and awareness raising campaigns.

Budget implications

The implementation of the proposal requires the establishment and maintenance of a new IT system. This system should connect existing networks of national IT systems and interoperable access points, operating under the individual responsibility and management of each Member State, to ensure a secure and reliable cross-border exchange of information on road-safety-related traffic offences. The one-off costs in 2025 and ongoing adjustment costs of the Commission until 2050 mainly related to the establishment of the IT system to support interactions between governmental authorities /organisations, natural and legal persons in cross-border administrative and criminal proceedings are estimated at EUR 1.531 million.

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

2023/0052(COD) - 05/12/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Kosma ZŁOTOWSKI (ECR, PL) on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Scope

The amended text extends the scope of the Directive to apply to the following road-safety-related traffic offences:

- not keeping the required distance from the vehicle in front;

- dangerous overtaking that does not comply with traffic regulations;

- dangerous parking in an unauthorised place posing a serious risk to other road users;

- driving an overloaded vehicle;

- hit-and-run.

Exchange of information between Member States

A competent authority may first request access to the data relating to vehicles in order to determine if an offence has been committed. Where, on the basis of such data, it is established that an offence was committed, the competent authority should request access to the data concerning the owner, holder or end user of the vehicles.

Member States should retain the relevant data elements in the national vehicle registers for **at least 6 months** after any modification of the ownership or use of the vehicle in question, and for **no longer than 4 years**.

Where the Member State of registration or the Member State of residence receives a request, it should transmit the requested information electronically within a period not exceeding **30 working days** via its national contact point to the national contact point of the Member State of the offence.

Member States should decide as soon as possible, but at the latest within **15 days** after receiving the request, whether they invoke a ground for **refusal**.

In addition, and with a view to reducing the administrative burden and to simplifying the procedure of providing information, the Commission may introduce **uniform templates**. Data should be exchanged and accessed by **automated and electronic means** to make the exchange as simple as possible.

Information letter on the road-safety-related traffic offences

The amended text stated that Member States should ensure that in cases where the liable person is a non-resident driver who was checked on the spot in the course of a road control and where the enforcement of the committed offence was finalised by the competent authority by the imposition of the financial penalty paid by the liable person on the spot, this person should receive at least the following information:

- a receipt for the financial transaction;

- the contact information of the competent authority;

- information on the offences committed and, if relevant, how to ensure compliance in future;

- a link and, if possible, a QR code to the portal.

Member States should ensure that a link to the online portal is provided on the websites of their national contact points. Any personal data processes should be retained for a maximum of four years.

Enforcement

Members proposed that **revenues** generated from financial penalties for road safety-related traffic offences, or the equivalent in the financial value of those revenues, should be used to increase road safety. By 6 May 2026, and every three years thereafter, Member States should make public in aggregate form a report on the use of revenues generated from financial penalties.

Exchange of information with neighbouring third countries

With the view to addressing road-safety-related traffic offences committed by third-country nationals, it should be possible for third countries to participate in the exchange of Vehicle Registration Data (VRD), provided that they have concluded an agreement with the Union to this effect.

In case of a long waiting time for the conclusion of such an agreement, Member States, in cooperation with the Commission, should develop a **dedicated solution** to detect presumed traffic offenders on the spot while they try to cross external borders of the Union in order to charge a financial penalty for the road-safety-related traffic offence that took place on its territory.

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

2023/0052(COD) - 24/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 570 votes to 36, with 24 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Objective

This Directive aims to ensure a high level of protection for all road users in the Union by **facilitating the cross-border exchange of information on road-safety-related traffic offences** and by 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.

The updated rules will **expand the list of traffic offences** committed by non-resident drivers that trigger cross-border assistance and can result in a fine. In addition to speeding, drink-driving or failing to stop at a red light, the new rules added dangerous parking, dangerous overtaking, crossing a solid line, hit and run offences, not respecting the rules on vehicle-access-restrictions, not respecting the rules at a railway level-crossing, amongst other offences.

National contact points

Each Member State should designate one or more national contact points for the automated exchange of vehicle registration data, incoming and outgoing mutual assistance requests and replies to identify the person concerned and incoming and outgoing mutual assistance requests and replies to serve the traffic offence notice or follow-up documents on the person concerned.

Traffic offence notice on the road-safety-related traffic offences

Where the competent authority of the Member State of the offence decides to initiate such proceedings, that competent authority should inform the person concerned about the road-safety-related traffic offence and, where appropriate, of the decision to initiate follow-up proceedings. The traffic offence notice should contain inter alia, the date and time of the offence, the nature of the offence.

The traffic offence notice addressed to the holder, owner or end-user of the vehicle should be issued no later than **11 months after the traffic offence**.

Where the competent authority of the Member State of the offence decides to initiate follow-up proceedings in relation to the traffic offences, it should issue the traffic offence notice and any essential follow-up documents in the language of the registration document of the vehicle.

Both the traffic offence notice and any follow-up documents should be sent in the **language** of the registration document of the vehicle. The competent authorities should take into account that the person concerned needs to understand the accusations and should be able to fully exercise the right of defence. This includes, in particular, all relevant information concerning the offence, the nature of the offence committed, the penalty imposed, the legal remedies available against that decision, the time limit laid down for that purpose and the identification of the body before which the appeal must be lodged.

Mutual assistance in identifying the person concerned

Member States should provide mutual assistance to each other where the competent authorities of the Member State of the offence, after exhausting all other means available to them, in particular once they have conducted an automated search and consulted other databases explicitly allowed.

Unless it decides to invoke one of the grounds for refusal or it is not possible to gather the requested information, the competent authorities of the Member State of registration or residence should gather the requested information without any undue delay.

No later than 2 months from the day when the competent authority of the Member State of registration or Member State of residence decides to apply a ground for refusal, or establishes that it is not possible to gather the requested information, it should inform the Member State of the offence thereof via its national contact point.

Mutual assistance in enforcement activities

Member States should provide enforcement assistance to each other in the case of **non-payment of a road traffic fine** imposed for the commission of a roadsafetyrelated traffic offences.

After the service of the traffic offence notice to the person concerned and in the case of non-payment of a road traffic fine imposed by the competent authority of the Member State of the offence, the latter may request the competent authority of the Member State of the registration or the Member State of residence to assist in the enforcement of administrative decisions on road traffic fines related to roadsafety-related traffic offences where the decision relating to a road traffic offence fine is administrative in nature, final and enforceable and the road traffic offence fine exceeds **EUR 70**.

If the person concerned can demonstrate that the payment of the road traffic fine has been made, the competent authority of the Member State of the registration or the Member State of residence should promptly notify the competent authority of the Member State of the offence about this. The sum of money obtained from the enforcement of the decision on a road traffic fine should accrue to the Member State of the registration or the Member State of the residence unless otherwise agreed between the Member State of the offence and the Member State of the registration or the Member State of the residence.

The competent authority of the requested Member State may refuse to recognise and enforce the administrative decision on a road traffic fine in certain cases.

Member States should use a **specifically designed and highly secured software application** of the European Vehicle and Driving Licence Information System (Eucaris), and amended versions of this software to exchange the information or process the mutual assistance.

Private legal entities

After two years following the transposition of this Directive, Member States should ensure that competent authorities do not empower privately owned or managed legal entities with distinct legal personality for conducting any activities related to the application of this Directive.

Online portal

To increase transparency and facilitate the implementation of the new rules, the Commission is tasked with creating an online portal listing the rules, appeal options and the relevant road traffic fines, amongst other information.

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

2023/0052(COD) - 30/12/2024 - Final act

PURPOSE: to improve cooperation on road safety offences.

LEGISLATIVE ACT: Directive (EU) 2024/3237 of the European Parliament and of the Council amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences.

CONTENT: this directive amends the 2015 directive on the cross-border exchange of information on road safety-related traffic offences and is part of the road safety legislative package. The revised directive aims to (a) strengthen compliance by non-resident drivers with additional road safety rules, (b) streamline mutual assistance procedures between Member States in cross-border investigations of road safety-related traffic offences, and (c) enhance the protection of the fundamental rights of non-resident offenders where the offences are committed with a vehicle registered in a Member State other than the Member State in which the offence was committed.

Scope

The revised directive will **expand the list of traffic offences** committed by non-resident drivers that trigger cross-border assistance and can result in a fine. In addition to speeding, drink-driving or failing to stop at a red light, the new rules added dangerous parking, dangerous overtaking, crossing a solid line, hit and run offences, not respecting the rules on vehicle-access-restrictions, not respecting the rules at a railway level-crossing, amongst other offences.

The directive introduces the concept of the '**concerned person**', as the person who is identified as liable for a road-safety-related traffic offence.

National contact points

The responsibilities and competences of national contact points are defined to ensure that they seamlessly **cooperate** with all competent authorities involved in the investigation of the road-safety-related traffic offences.

Each Member State will designate one or more national contact points for the automated exchange of vehicle registration data (VRD) as well as incoming and outgoing requests and responses for mutual assistance to identify the person concerned and incoming and outgoing requests and responses for mutual assistance to: (i) serve the traffic offence notice or follow-up documents to the person concerned; (ii) enforce final administrative decisions on road traffic fines imposed for road-safety-related traffic offences.

Access to data and mutual assistance

The directive clarifies the different procedures for accessing vehicle registration data and the different options for competent authorities to ask mutual assistance with a view to making sure that the concerned person is identified, the traffic offence notice arrives to the right place within a reasonable time frame and the sanction is enforced.

The traffic offence notice must contain **all relevant information** concerning the offence, in particular data relating to the vehicle with which the offence was committed, including its registration number, the place, date and time of the offence, the nature of the offence, a precise reference to the legal provisions infringed and, where applicable, data concerning the device used to detect the offence. It will also have to contain detailed information on the legal classification of the road-safety-related traffic offence, the applicable sanctions.

The traffic offence notice addressed to the holder, owner or end user of the vehicle will be issued **no later than 11 months after the road-safety-related traffic offence**. Where the competent authority of the Member State of the offence decides to initiate follow-up proceedings in relation to road-safety-related traffic offences, it will issue the traffic offence notice and any essential follow-up documents in the language of the registration document of the vehicle.

Member States will provide enforcement assistance to each other in the **case of non-payment** of a road traffic fine imposed for the commission of a road safetyrelated traffic offences.

After the service of the traffic offence notice to the person concerned and in the case of non-payment of a road traffic fine imposed by the competent authority of the Member State of the offence, the latter may request the competent authority of the Member State of the registration or the Member State of residence to assist in the enforcement of administrative decisions on road traffic fines related to roadsafety-related traffic offences where the decision relating to a road traffic offence fine is administrative in nature, final and enforceable and the road traffic offence fine exceeds **EUR 70**.

Protection of fundamental rights

The revised directive provides for all necessary safeguards to protect the fundamental rights of the driver or any other person concerned, including by establishing a clear framework to prevent any abuse by **private entities** involved in the process of road-safety traffic offences and better mechanisms for the protection of personal data.

Information portal

The Commission will set up an online portal on road safety offences (known as the ‘CBE Portal’), available in all official languages of the EU institutions, dedicated to sharing information with road users on the rules in force in the Member States in the area covered by the directive.

ENTRY INTO FORCE: 19.1.2025.

TRANSPOSITION: no later than 20.7.2027.