



Council of the
European Union

Brussels, 28 June 2024
(OR. en)

11733/24

LIMITE

ENV 738
ENT 126
MI 652

**Interinstitutional File:
2023/0284 (COD)**

NOTE

From: Presidency
To: Delegations

Subject: Proposal for a Regulation of the European Parliament and of the Council on circularity requirements for vehicle design and on management of end-of-life vehicles, amending Regulations (EU) 2018/858 and 2019/1020 and repealing Directives 2000/53/EC and 2005/64/EC
– Partial Presidency compromise text

On 13 July 2023, the European Commission published a Proposal for a Regulation of the European Parliament and of the Council on circularity requirements for vehicle design and on management of end-of-life vehicles, amending Regulations (EU) 2018/858 and 2019/1020 and repealing Directives 2000/53/EC and 2005/64/EC (the ‘Proposal’).

The Belgian Presidency conducted a complete first examination of the entire proposal during three all-day meetings of the WPE on 29 February, 15 March and 8 April 2024.

Following that first examination, the Presidency dedicated three more all-day meetings (26 April, 23 May and 7 June 2024) to a detailed examination of three major thematic clusters¹, covering the definition of end-of-life vehicles and their collection, the treatment of end-of-life vehicles and the export of used vehicles. This detailed examination was based on Presidency steering notes² which contained a number of compromise solutions and clarifications addressing the concerns of the Member States expressed during the WPE meetings or subsequently in writing.

The results of the above examination are outlined in document 11019/24 which has been presented to the Member States during the meeting of the Environment Council on 17 June 2024. In terms of legislative text, this work is now reflected in the partial Presidency compromise text, as annexed to this note.

The Presidency considers that the revised text addresses the concerns expressed throughout the examination³ in a balanced manner, and can therefore be supported by a broad majority of delegations in order to serve as a basis for further work for the upcoming Presidencies.

Changes compared to the original proposal of the Commission are indicated in **bold** for additions and in ~~strike through~~ for deletions. The text of the Regulation is set out in Annex 1, while the modified texts of Annexes I, VII and IX of the Regulation are set out in Annex 2⁴. Any parts of the text containing square brackets shall be considered as specifically requiring further discussion amongst the Member States.

¹ The cluster on definition of end-of-life vehicles and their collection contains articles 23 to 26 and 37, annexes I and IX, related definitions 1(2), 1(26), 1(33), 1(35), and 1(36) to 1(39) and related scope articles. The cluster on the treatment of end-of-life vehicles contains articles 15 and 27 to 36, annex VII, related definitions 1(5), 1(12), 1(15), 1(16), 1(17), 1(21), and 1(27) to 1(32), and related scope articles. The cluster on the export of used vehicles contains articles 37a and 38 to 45, related definition 1(34) and 2(f) and related scope articles. A very limited number of other provisions have also been amended as a direct consequence of the changes made in the thematic clusters which underwent detailed examination.

² WK 5700/24 REV 1, WK 7028/24, WK 7790/24

³ Since certain changes in the revised text in the Annex are based on requests made in writing after the last WPE meeting of 7 June 2024, the Presidency issued a separate explanatory note in WK 9235/24.

⁴ For ease of reference, only Annexes I, VII and IX which contain modifications are part of this document, while all remaining annexes which haven't been modified so far are left out.

2023/0284 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on circularity requirements for vehicle design and on management of end-of-life vehicles,
amending Regulations (EU) 2018/858 and 2019/1020 and repealing Directives 2000/53/EC and
2005/64/EC**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

¹ OJ C , , p. .

² OJ C , , p. .

- (1) The Communication of the Commission of 11 December 2019 on ‘The European Green Deal’³ (the ‘European Green Deal’) is Europe’s growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net greenhouse gas emissions in 2050 and where economic growth is decoupled from resource use. In order for the Union’s product policies to contribute to lowering carbon emissions on a global level, it needs to be ensured that products marketed and sold in the Union are sourced, manufactured and treated at their end-of-life in a sustainable manner.
- (2) The automotive sector is an important contributor to the use of energy and material resources by the Union, and hence to the generation of greenhouse gases. The production of vehicles in third countries that are placed on the Union market contributes to the generation of global greenhouse gases, which in turn has a negative environmental impact on the Union. A shift from the use of fossil fuels in vehicles to zero emission mobility, as foreseen in the Fit for 55 package, is one of the prerequisites for reaching the climate neutrality goal in 2050. It will reduce the emissions of greenhouse gases from the automotive sector linked to the use phase of vehicles. The automotive industry is one of the largest users of primary aluminium, steel and plastics, linked to the manufacturing of new vehicles placed on the Union market. This can represent a significant environmental impact, linked to the energy required for the extraction and processing of these materials. The environmental footprint linked to the manufacturing of new vehicles could increase with the ongoing electrification of the fleet, as well as due to more widespread use of electronics in future models, which both require a considerable amount of critical and strategic raw materials and precious metals, such as copper and rare earth elements. The result of these changes is that the production phase could have a larger environmental footprint than the use phase of vehicles. In addition, the current requirements in Union law on waste management result in a suboptimal recovery of resources from end-of-life vehicles, and there is high potential to increase the quantity and quality of parts, components and materials to be re-used, remanufactured, refurbished or recycled from end-of-life vehicles. To address these environmental impacts and contribute to the decarbonisation of the sector, it is necessary to improve the functioning of the single market and enhance the transition of the automotive

³ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final).

industry to a circular economy. This is in line with Communication of the Commission of 11 March 2020 on ‘A new Circular Economy Action Plan – For a cleaner and more competitive Europe’⁴ which called for a revision of the current rules to “promote more circular business models by linking design issues to end-of-life treatment, consider rules on mandatory recycled content for certain materials, and improve recycling efficiency”. The Council⁵ and the Parliament⁶ also stressed the need for new Union rules on these matters, replacing the existing rules on type approval of vehicles when it comes to re-usability, recyclability and recoverability and on end-of-life vehicles.

- (3) Directive 2000/53/EC of the European Parliament and of the Council⁷ sets up harmonised treatment requirements for end-of-life vehicles and targets for vehicles’ reuse and recycling and reuse and recovery. It establishes obligations on collection of end-of-life vehicles, as well as obligations for economic operators, in particular restricting the use of heavy metals in vehicles. It also creates basic rules on extended producer responsibility, requiring vehicle producers to cover part of the costs of collection of end-of-life vehicles.
- (4) The Commission’s evaluation of Directive 2000/53/EC⁸ highlighted that it has been effective in delivering many of its initial objectives, especially the elimination of cadmium, lead, mercury and hexavalent chromium from vehicles, an increase in collection points for end-of-life vehicles and the attainment of the recovery and recycling targets. The evaluation however found that the Directive however insufficiently addressed important issues linked to the collection of end-of-life vehicles and was not adapted any longer to ensure a high quality of treatment of these vehicles.

⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 March 2020, A new Circular Economy Action Plan – For a cleaner and more competitive Europe (COM(2020)98 final).

⁵ Council conclusions of 17 December 2020, Making the recovery circular and green.

⁶ European Parliament resolution of 10 February 2021 on the New Circular Economy Action Plan.

⁷ Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of life vehicles (OJ L 269 21.10.2000, p. 34).

⁸ Evaluation of Directive (EC) 2000/53 of 18 September 2000 on end-of-life vehicles, SWD(2021) 61 final.

- (5) Directive 2005/64/EC of the European Parliament and of the Council⁹ regulates the type-approval of vehicles in relation to their reusability, recyclability and recoverability, so that these vehicles could meet the targets established in Directive 2000/53/EC at their end-of-life stage. That Directive has not been effective in improving substantially the re-usability, recyclability and recoverability of new vehicles and is not adapted to the features of new vehicles, which have considerably changed since the entry into force of that Directive.
- (6) Regulation (EU) 2018/858 of the European Parliament and of the Council¹⁰ introduced a comprehensive type-approval and market surveillance system for motor vehicles, trailers, and for systems, components and separate technical units intended for such vehicles with a view to ensuring the proper functioning of the single market and in order to offer a high level of environmental performance. There is a need for a separate regulatory act for the purposes of the EU type-approval procedure laid down in Annex II to Regulation (EU) 2018/858. It is necessary to lay down provisions and requirements on the circularity of vehicles in the process of EU type approval. To ensure the compliance of vehicles with those requirements it is necessary to ensure their verification in the EU type-approval process. The administrative provisions of Regulation (EU) 2018/858, including the provisions on market surveillance, corrective measures and penalties, apply to type approvals issued this Regulation. The administrative provisions of Regulation (EU) 2018/858, including the provisions on market surveillance, corrective measures and penalties, apply to type approvals issued in compliance with the requirements of this Regulation.

⁹ Directive 2005/64/EC of the European Parliament and of the Council of 26 October 2005 on the type-approval of motor vehicles with regard to their reusability, recyclability and recoverability and amending Council Directive 70/156/EEC (OJ L 310, 25.11.2005, p. 10).

¹⁰ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151 14.6.2018, p. 1).

- (7) In order to improve the functioning of the single market, while ensuring a high level of protection of the environment, it is essential to harmonise the conditions for the type-approval of vehicles when it comes their reusability, recyclability and recoverability, as well as the conditions governing waste management in the automotive sector. There are intrinsic links between the production stage and the end-of-life treatment of vehicles, as the environmentally sound treatment of end-of-life vehicles depends to a large extent on how vehicles are designed and constructed in the first place. The most efficient way of facilitating the transition of the automotive sector to a circular economy is therefore to establish a uniform regulatory framework at the Union level, covering in an integrated and consistent manner the design, manufacturing, placement on the market in the Union and end-of-life treatment of vehicles. This is also essential for the development of the Union market for secondary raw materials which are included in new vehicles placed on the market, as well as to avoid barriers to trade and distortions of competition, ensure legal clarity and improve the environmental performances of all of the economic operators involved in the design, production and end-of-life treatment of vehicles. In order to achieve these objectives and the necessity to have uniform rules for the single market driven by environmental concerns, and in line with the overall Union legislation on type-approval for motor vehicles, Directive 2000/53/EC and Directive 2005/64/EC should be replaced by a Regulation, based on Article 114 of the on the Functioning of the European Union (TFEU).

- (8) Directives 2000/53/EC and 2005/64/EC apply only to passenger vehicles (M₁) and light commercial vehicles (N₁), which constitute approximately 85% of all vehicles registered in the Union. The remaining vehicles, namely two- and three- wheel vehicles, lorries, busses and trailers, are not subject to any Union legislation concerning their eco-design and management at their end-of-life stages. Therefore, in order to ensure a circular framework for all vehicles registered in the Union, including their environmentally sound treatment, as well as to prevent fragmentation of the single market, this Regulation should apply not only to vehicles of categories M₁ and N₁, but, partially, also to certain L-category vehicles (L_{3e}-L_{7e}), heavy-duty vehicles and their trailers (M₂, M₃, N₂, N₃, O). There is a lack of comprehensive information regarding the treatment of such vehicles at their end-of-life in the Union, which prevents from applying to them the same regime as the one applying to M₁ and N₁ vehicles upon entry into force of this Regulation. However, the requirements regarding the collection of end-of-life vehicles, their mandatory delivery to authorised treatment facilities for treatment as well as their depollution, **removal of their batteries and e-drive motors, their shredding and conditions for landfill of non-inert waste from shredding** should apply to L-category vehicles (L_{3e}-L_{7e}) and heavy-duty vehicles and their trailers (M₂, M₃, N₂, N₃, O). To facilitate treatment of these end-of-life vehicles, their manufacturers should be required to provide information on the removal and replacement of parts, components and materials from such vehicles. Also, the provisions governing the extended producer responsibility should apply to these vehicle categories, covering the costs of their collection and depollution at their end-of-life.
- (9) Problems with exporting used vehicles concern not only passenger vehicles (M₁) and light commercial vehicles (N₁), but also, as studies show¹¹, larger vehicles. Therefore, these provisions should also apply to heavy-duty vehicles and their trailers (M₂, M₃, N₂, N₃, O).

¹¹ <https://www.unep.org/resources/report/global-trade-used-vehicles-report>

- (10) Special purpose vehicles are designed to perform a specific function and require special bodywork arrangements which are not entirely under the control of the manufacturer. Consequently, the reusability, recyclability and recoverability rates cannot be calculated properly. For those vehicles only the provisions concerning the collection, depollution and mandatory removal for parts and components should apply. Costs of conducting these activities should be covered by producers within the extended producer responsibility scheme. Provisions concerning substances in vehicles should also apply to special-purpose vehicles, as it is under Directive 2000/53/EC. The second stage manufacturer of vehicles that have been type-approved in multi-stage type-approval is not in a position to calculate the reusability, recyclability and recoverability rates for completed vehicles. It is therefore appropriate to require only the base vehicle to comply with this Regulation.
- (11) One of the biggest practical challenges related to the application of Directive 2000/53/EC concerns the determination whether or not a vehicle has become an end-of-life vehicle, in particular in cases of transboundary shipments of vehicles. Despite the issuance of guidance¹² on this issue, such assessment remains problematic. It is therefore necessary to provide legally-binding precise criteria allowing to determine an end-of-life vehicle. Those criteria should be used by all economic operators and vehicle owners dealing with end-of-life vehicles.
- (12) The evaluation of Directive 2000/53/EC concluded that the provisions in this Directive on the design of vehicles aimed at facilitating their dismantling and the uptake of recycled materials had a very limited impact on the design and manufacturing of new vehicles, as they were not sufficiently detailed, specific and measurable.

¹² Correspondents' Guidelines No 9 on shipment of waste vehicles,
https://ec.europa.eu/environment/pdf/waste/shipments/correspondents_guidelines9_en.pdf

(13) Addressing the design of all vehicles placed on the Union market as well as their end-of-life stage requires the setting up of harmonised circularity requirements verified at the type-approval stage. Designing and manufacturing vehicles to ensure that their parts and components are reusable, and the materials that they contain are recyclable, is essential to avoid that these parts, components and materials cannot be properly valorised when a vehicle reaches the end of its life. Therefore, vehicle manufacturers and their suppliers should integrate design strategies that improve reusability and recyclability at an early stage in the development of new vehicles. Accordingly, new vehicle types should continue to be constructed so as to be reusable or recyclable to a minimum of 85 % by mass and reusable or recoverable to a minimum of 95 % by mass, as already foreseen in Directive 2005/64/EC. In order to ensure that the calculation of the reusability, recyclability and recoverability rates is done in a uniform manner and can be monitored, a new methodology for calculation and verification of the rates of reusability, recyclability and recoverability of a vehicle should be established. This methodology should better reflect the actual potential of a new vehicle to be recycled, reused and recovered at the end-of-life, while taking into account the ongoing technological progress. In order to ensure uniform conditions for the implementation of this Regulation implementing powers should be conferred on the Commission to establish such methodology. Until such methodology is established, the rates of reusability, recyclability and recoverability should continue to be calculated in accordance with the standard ISO 22628:2002, as in Directive 2005/64/EC.

- (14) Vehicles should be designed and manufactured in a way as to limit the presence of substances of concern. In its Communication of 14 October 2020 on ‘Chemicals Strategy for Sustainability – Towards a Toxic-Free Environment’ (the ‘Chemicals Strategy for Sustainability’)¹³, the Commission stated that substances of concern are to be minimised and substituted as far as possible, phasing out the most harmful ones for non-essential societal use, in particular in consumer products. Accordingly, substances of concern as constituents of materials used in vehicles or of any of the parts or components of vehicles should be minimised as far as possible to ensure that vehicles, as well as materials recycled from vehicles, do not have an adverse effect on human health or the environment, throughout their life-cycle.
- (15) Directive 2000/53/EC already restricts the use of lead, mercury, cadmium and hexavalent chromium in vehicles and provides exemptions, where such substances may be used in certain applications. This Regulation should take over these existing rules. However, in order to ensure the coherence of legislation on chemicals, restrictions regarding placing on the market and use of other substances in vehicles should be addressed under Regulation (EC) No 1907/2006 of the European Parliament and of the Council¹⁴. Similarly, restrictions on the use of substances regulated in Regulation (EU) 2019/1021 of the European Parliament and of the Council¹⁵, should be introduced based on provisions of that Regulation. Therefore, this Regulation should not provide the possibility to restrict any other substance than lead, mercury, cadmium and hexavalent chromium in vehicles.

¹³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 14 November 2020, Chemicals Strategy for Sustainability – Towards a Toxic-Free Environment, (COM/2020/667 final).

¹⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p 1).

¹⁵ Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45).

- (16) Directive 2000/53/EC provides exemptions to the restrictions on the use of lead and cadmium in batteries used in vehicles, which are taken over by this Regulation. However, the use of substances in batteries is comprehensively regulated in Regulation (EU) No 2023/[Batteries] of the European Parliament and of the Council¹⁶. Therefore, such substances should be addressed and eventually their restrictions and related exemptions transferred, as appropriate, to that Regulation and should not be regulated in this Regulation. Prior to introducing such restrictions under Regulation (EU) No 2023/[Batteries], a comprehensive assessment should be carried out under that Regulation to evaluate, if an exemption is still required and in what scope.
- (17) In order to take account of scientific and technical progress, the power to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should continue to be delegated to the Commission in respect of amending exemptions from restrictions on the use of lead, mercury, cadmium and hexavalent chromium in vehicles under this Regulation. Modifying or deleting such exemptions should be preceded by an assessment of the socio-economic impacts of such change, which is absent in the Directive 2000/53/EC, including consideration of the availability of alternative substances and the impacts on human health and the environment across the lifecycle of vehicles. To ensure effective decision-making, coordination and management of the technical, scientific and administrative aspects of amending this Regulation with respect to restrictions on use of substances in vehicles, the European Chemicals Agency should assist the Commission in such assessment.

¹⁶ Regulation of the European Parliament and the Council of [date] 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (OJ L [...]).

(18) To increase circularity in the automotive sector, vehicles should progressively be designed and manufactured in such a way which incorporates recycled materials instead of primary raw materials. The use of recycled materials allows for a more resource-efficient use of materials, decarbonises production and reduces negative environmental impacts related to the use of primary raw materials. Increased circularity for the vehicles manufactured in third countries that are placed on the Union market will also contribute to reducing greenhouse gas emissions globally, including the Union. It also reduces raw material and energy dependencies linked to the supply of primary raw materials and at the same time reinforces the market for secondary raw materials. Although there are no requirements concerning the use of recycled content on a global level, many manufacturers have already incorporated recycled materials in their vehicles. Establishing targets and uniform provisions on how to calculate the recycled content will provide legal certainty and contribute to creating fair competition between manufacturers. The requirements will apply to all manufacturers intending to place vehicles on Union's market, irrespective of where they are based. Acknowledging the importance of global value chains in the automotive sector, the Regulation should allow for sourcing the secondary raw materials from outside the Union.

- (19) In view of the low recycling rate for plastics, especially from end-of-life vehicles, and the overall negative impacts of other forms of treatment of plastic waste, it is appropriate to increase the uptake of recycled plastics in vehicles. To this end, a mandatory target for plastic recycled from post-consumer waste should be included in new vehicles. Accordingly, each vehicle type should contain twenty-five percent of plastic recycled from post-consumer plastic waste. Twenty-five percent of this recycled content target for plastics should be achieved by including plastics recycled from end-of-life vehicles in the vehicle type concerned. **[The selection of plastics covered in the scope of targets are based on the recyclable types of plastics as specified in the dedicated Joint Research Centre (JRC)¹⁷ study and the Impact Assessment. In these documents thermosets other than polyurethane foams in seats and elastomers are not considered in the calculation of the targets, given that thermosets are particularly challenging to recycle and that tyres are proposed as a priority product under the Ecodesign for Sustainable Products Regulation.]** In order to ensure uniform conditions for the implementation this obligation, implementing powers should be conferred on the Commission to establish methodology for the calculation and verification of the share of plastics recovered from post-consumer waste, and from end-of-life vehicles respectively, present in and incorporated into the vehicle type.
- (20) The automotive sector is one of the biggest users of steel and the current uptake of recycled steel in new vehicles remains low. In order to contribute to lowering the carbon footprint linked to the production of new vehicles and support the move of the automotive industry towards climate neutrality, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of establishing a minimum share of steel recycled from post-consumer steel waste to be present and incorporated into vehicle types. The establishment of a future target should be preceded by a dedicated study by the Commission covering all relevant technical, environmental and economic factors linked to the feasibility of such target. In order to ensure uniform conditions for the implementation this obligation, implementing powers should be conferred on the Commission to establish methodology for the calculation and verification of the share of steel recovered from post-consumer steel waste present in and incorporated into the vehicle type.

¹⁷ <https://op.europa.eu/en/publication-detail/-/publication/0980feaf-2146-11ee-94cb-01aa75ed71a1/language-en>

- (21) There is a potential to increase the use of recycled content in vehicles for other materials commonly used by the automotive industry for which markets for secondary raw materials are underdeveloped, the footprint linked to the production of primary raw materials is high or recycling levels are limited, while sorting and recycling technologies are improving. It is therefore appropriate for the Commission to assess the desirability, feasibility and impacts of setting out targets on recycled content of neodymium, dysprosium, praseodymium, terbium, samarium, boron used in permanent magnets as well as for aluminium and its alloys, or magnesium and its alloys. For the feasibility of potentially setting targets on specific types of aluminium and magnesium alloys, the study should address the matching of demand by secondary supply in general and in particular investigate the trade-off between maximising economies of scale by specifying a minimum number of alloy families versus maximising value retention by sorting into a wider range of specific alloy types.
- (22) In order to boost the underdeveloped markets for secondary raw materials, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of establishing a minimum share of establishing a minimum share of aluminium and its alloys, magnesium and its alloys, neodymium, dysprosium, praseodymium, terbium, samarium or boron recycled from post-consumer waste that shall be present in and incorporated into the vehicles types. In order to ensure uniform conditions for the implementation this obligation, implementing powers should be conferred on the Commission to establish methodology for the calculation and verification of the shares of the materials recycled from post-consumer waste in vehicle types. The methodology is necessary to clarify the definitions of post-consumer scrap and pre-consumer scrap. This is relevant to incentivise the improvement of quality and the retainment of value, in particular for post-consumer fractions. In order to promote decarbonisation via the use of more recycled content, clear definitions are necessary to incentivise the recycling of post-consumer scrap, while minimising the use of pre-consumer scrap, which usually carries the same carbon footprint as the primary raw material.

- (23) In line with the requirements of Regulation (EU) [CRM Act] of the European Parliament and of the Council¹⁸, and considering that it is necessary to establish in this Regulation provisions on recycled content in vehicles and on critical raw materials used in parts and components of vehicles, those provisions should apply as the sector specific implementation of the provisions contained in Regulation (EU) [CRM Act]. This will ensure streamlining and integrating various information, labelling and removal obligations under the procedures of this Regulation with those for other parts, components and materials.
- (24) In order to ensure that batteries are recycled in accordance with the requirements of the Regulation (EU) 2023/[Batteries], and that e-drive motors, which contain important quantities of rare earth elements, can also be replaced and recycled, it is necessary to introduce design requirements for new vehicles types, ensuring that these batteries and e-drive motors can be removed in a readily manner by authorised treatment facilities or repair and maintenance operators during any phase of the life-cycle of a vehicle. In order to take into account technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending this Regulation by revising the list of parts and components that are to be designed for removal and replacement from vehicles. In order to ensure uniform conditions for the implementation of this design requirement, implementing powers should be conferred on the Commission.

¹⁸ Proposal for a Regulation of the European Parliament and of the Council establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) 168/2013, (EU) 2018/858, 2018/1724 and (EU) 2019/1020 (COM(2023) 160 final).

- (25) The type-approval system laid down in Regulation (EU) 2018/858 requires manufacturers to construct their vehicles, systems, components and separate technical units in conformity with an approved vehicle type. To ensure that manufacturers comply with the circularity requirements that are applicable to them at type-approval stage and which are laid down in this Regulation, and that type-approval authorities can verify compliance, it is necessary for manufacturers to include the information required for the type-approval procedure in the information folder. To increase transparency and ensure that the required type-approval information is presented in a manner coherent with the requirements in other legislation governing type-approval requirements for vehicles, the Commission should amend the rules established in Commission Implementing Regulation (EU) 2020/683¹⁹ which standardise the documents and information to be included into the information folder and thus specify the administrative requirements for type-approval.
- (26) In order to ensure that manufacturers of passenger cars and light commercial vehicles put in place actions to ensure that they meet the circularity requirements under this Regulation, and to incentivise them to improve the circularity of the vehicle types they place on the market, they should draw up a comprehensive circularity strategy for each new type and provide it to the type-approval authority. This strategy should be based on proven technologies, which are available or in development at the time of applying for the vehicle type approval and be periodically updated. The Commission should regularly report on the circularity of the automotive sector based on the circularity strategies provided by the manufacturers. In order to take account of technical and scientific progress in vehicle manufacturing and management of end-of-life vehicles, market developments in the automotive sector and regulatory changes, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the annex containing requirements on the content of circularity strategy and the updates thereto.

¹⁹ Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ L 163, 26.5.2020, p. 1).

- (27) In order to increase transparency on the use of recycled materials by the automotive sector and provide incentives to increase recycled content levels, vehicle manufacturers should be required to provide technical documentation showing the percentage of recycled materials present in new vehicle types which are submitted for type-approval. This requirement should apply to a selection of materials for which an increase in recycled content level in vehicles would bring about particularly important environmental benefits. The mandatory declaration should be submitted to the type-approval authority together with other documents as part of the application for type-approval.
- (28) Access to up-to-date information and timely communication between vehicle manufacturers and waste management operators across the automotive value chain are essential to maximise reuse, remanufacturing and refurbishment of parts and components of a vehicle and to ensure high-quality recycling of end-of-life vehicles. Therefore, manufacturers should provide to waste management operators and repair and maintenance operators unrestricted, standardised and non-discriminatory access to information enabling safe removal and replacement of certain parts, components and materials present in a vehicle. The information should guide the waste management operators and repair and maintenance operators through the steps and provide clear instructions on the use of tools or technologies required to access and remove electric vehicle batteries, including the tools or technologies enabling their safe discharge, and e-drive motors. This information should also help to identify, locate and remove the parts, components and materials, that should be depolluted and removed from the vehicle prior shredding, as well as parts and components, containing the critical raw materials in permanent magnets referred to in Regulation (EU) [CRM Act]. This should be done through communication platforms established by manufacturers and the information should be provided free of charge, excluding administrative costs. The type-approval authorities should verify that the required information has been submitted by the manufacturers. In order to regularly update scope of information to be provided by the manufacturers to the waste management operators and repair and maintenance operators, the power to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Annex V.

- (29) While digital coding is increasingly used to control different parts and components in vehicle, the evaluation of Directive 2000/53/EC identified that such coding could impede the reuse, remanufacturing and refurbishment potential of certain parts and components. It is therefore essential that vehicle manufacturers are requested to provide information allowing professional waste management operators to overcome the problems posed by these digitally coded parts and components in a vehicle, where such coding prevents repair, maintenance or replacement operations in another vehicle.
- (30) Manufacturers and their suppliers should use component and material coding standards, which were established initially in Commission Decision 2003/138/EC²⁰, for labelling and identification of vehicles' plastic and elastomer parts, components and materials. They should ensure, that all parts and components of vehicles are marked in accordance with other applicable Union legislation, in particular concerning labelling of batteries and of permanent magnets included in vehicles that they place on the market. In order to take into account the technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Annex VI specifying how parts and components of vehicles should be labelled.

²⁰ Commission Decision 2003/138/EC of 27 February 2003 establishing component and material coding standards for vehicles pursuant to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 53, 28.2.2003, p. 58–59).

- (31) In order to facilitate the end-of-life treatment of vehicles, vehicle manufacturers should provide, via digital tools, accurate, complete and up-to-date information on the safe removal and replacement of vehicle parts and components. A Circularity Vehicle Passport should therefore be developed and made available as a data carrier for such information, in a manner that is consistent with other digital information tools and platforms that already exist or are in further development in the automotive sector on the environmental performance of vehicles and aligned with corresponding provisions in the Regulation (EU) 2023 [Batteries], the Regulation [ESPR] of the European Parliament and of the Council²¹ and the Regulation [Euro 7] of the European Parliament and of the Council²². In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to lay down the technical design and operation requirements for the passport and rules on location of the data carrier or other identifier enabling accessing the passport on the vehicle.
- (32) In order to ensure that producers and other economic operators are subject to the same rules across the Member States, it is necessary to lay down harmonised rules for waste management of end-of-life vehicles. This should lead to a high level of protection of human health and the environment across the Union. It would also result in further harmonisation of the quality of waste management services provided by economic operators and facilitate the functioning of the market for secondary raw materials.

²¹ Proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC.

²² Proposal for a Regulation of the European Parliament and of the Council on type-approval of motor vehicles and engines and of systems, components and separate technical units intended for such vehicles, with respect to their emissions and battery durability (Euro 7) and repealing Regulations (EC) No 715/2007 and (EC) No 595/2009.

- (33) In order to guarantee the safe and environmentally sound treatment of end-of-life vehicles, any establishment or undertaking intending to perform waste treatment operations for these vehicles should obtain an authorisation from the competent authority. The authorisation should be granted only if the establishment or undertaking has the ~~technical, financial and organisational~~ capacity needed to carry out the end-of-life treatment operations for vehicles in a manner that complies with the applicable EU and national law, including the specific treatment requirements established in this Regulation. Additionally, authorised treatment facilities should have the competence to issue certificates of destruction in accordance with this Regulation.
- (34) Directive 2000/53/EC establishes a basic obligation for vehicle producers to cover part of the costs of collection of end-of-life vehicles. Building on this obligation, in line with the polluter-pays principle and consistent with the general minimum requirements for extended producer responsibility schemes set out in Directive 2008/98/EC of the European Parliament and of the Council²³, it is appropriate to lay down at Union level requirements on the responsibilities of vehicle manufacturers relating to the management of end-of-life vehicles. Producers should have extended producer responsibility for the vehicles that they have placed on the market once they reach their end-of-life stage. The extended producer responsibility should cover the obligations to ensure that the vehicles made available by the producers on the market in a Member State are collected and treated in accordance with this Regulation and that waste management operators treating such vehicles meet the recycling targets established by this Regulation.
- (35) In order to facilitate monitoring of compliance of producers with their extended producer responsibility obligations, Member States should establish a register of producers. The registration requirements should be harmonised across the Union to facilitate registration, in particular where producers make vehicles available in different Member States. The register should be also used for the purposes of reporting to competent authorities on the performance of extended producer responsibility obligations. The features and procedural aspects linked to this register should also be consistent with the register of producers established by Regulation (EU) 2023/[OP: Batteries], to enable producers of vehicles and producers of batteries to use one and the same register.

²³ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

- (36) In case the producer makes vehicles available on the market for the first time within a territory of a Member State, where the producer is not established, the producer should designate an appointed representative for the extended producer responsibility.
- (37) Producers should be able choose whether they will exercise their extended producer responsibility obligations individually or collectively, by means of producer responsibility organisations taking responsibility on their behalf. Producer responsibility organisations should ensure the confidentiality of data provided to them by producers. In order to ensure that the interests of all economic operators are properly taken into consideration and avoid that waste management operators are placed at a disadvantage in the decisions taken in extended producer responsibility schemes, a fair representation of producers and waste management operators should be ensured in the governing bodies of such organisations.
- (38) Producers should finance part of the costs of collection and treatment of end-of-life vehicles necessary to meet the requirements established in this Regulation, in particular obligations aimed at ensuring higher quality of secondary raw materials retrieved from vehicles. The exact level of the costs of such operations that should be covered by producers should be determined taking into account the revenues of authorised treatment facilities and other waste management operators gained from sale of used spare parts or components and of secondary raw materials retrieved from end-of-life vehicles. To this end, the competent authorities, in cooperation with producers and waste management operators, should monitor the average costs of collection, recycling and treatment operations as well as the level of financial contributions paid by the producers in order to ensure that a fair allocation of costs between all interested operators is in place.
- (39) The financial contributions of producers should also cover the costs of educational campaigns aimed to increase the collection of end-of-life vehicles, establishment of the notification system for issuance and transfer of certificates of destruction and gathering and reporting of data to the competent authorities. All these actions are indispensable for ensuring proper management of end-of-life vehicles, in particular for tracking the vehicles for which producers are responsible in accordance with this Regulation.

- (40) Producers who choose to fulfil their extended producer responsibility obligations individually should also provide a guarantee to be used to cover the costs of management of end-of-life vehicles. Such guarantees may be used in particular in cases where the concerned producers become insolvent or permanently cease their operations.
- (41) In case a producer exercises its extended producer responsibility obligations collectively with a producer responsibility organisation, the financial contributions paid by the producer should be modulated based on harmonised criteria. Such criteria should create economic incentives for the manufacturers to increase circularity in the design and production of new vehicles, taking into consideration the amount of primary and recycled materials in a vehicle, the extent to which it contains parts, components and materials which are difficult to remove, dismantle, reuse or recycled, as well as the amount of hazardous substances that it contains. In order to avoid distortion of the single market, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing this Regulation by establishing detailed rules on how the criteria for the modulation of the financial contributions paid to producer responsibility organisations should be applied.
- (42) As vehicles often become end-of-life vehicles in a different Member State than in the Member State where they were registered for the first time, it is necessary to introduce rules on cross-border extended producer responsibility. These rules should ensure that the responsibility of the producer properly covers the collection and treatment costs incurred by the waste management operators in the Member State where the vehicle becomes an end-of-life vehicle. To this end, producer should appoint a representative for the extended producer responsibility in each Member State and set up mechanisms for cross-border cooperation with relevant waste management operators. Introducing such a mechanism contributes to creating a level playing field between the authorised treatment facilities across the Union and facilitates the development of Union wide approaches in case of individual producer responsibility.

- (43) In order to ensure compliance with this obligations and to avoid distortion of the single market, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of establishing further detailed rules on the obligations of the producers, Member States and waste management operators and the features of the cross-border mechanisms.
- (44) A key prerequisite for the sound treatment of end-of-life vehicles is that all end-of-life vehicles are collected. Therefore, this Regulation should impose certain obligations linked to the collection primarily on the producers and, secondarily, on the Member States. Producers should set up or participate in setting up the collection systems, and Member States should adopt all necessary measures to ensure that the systems are in place and that those systems enable meeting the objectives of this Regulation. The collection systems should enable vehicle owners and other vehicle holders to deliver the vehicle to an authorised **treatment facility or collection point** without unnecessary efforts or costs. This means in practice that such systems should appropriately cover the whole territory of each Member State. They should also allow for collection of all brands of end-of-life vehicles, as well as of waste parts from repair of vehicles.
- (45) End-of-life vehicles should be treated only in authorised treatment facilities, thus such facilities play a vital role in collection of the end-of-life vehicles. In order to facilitate collection and ensure adequate availability of facilities collecting end-of-life vehicles, this Regulation provides for a possibility for establishing collection points. The role of such points would be limited to collecting of end-of-life vehicles, storing them in proper conditions and transporting them to the authorised treatment facility. Operating such a point requires a specific permit. Collection points should be required to deliver all collected end-of-life vehicles to authorised treatment facilities.

- (46) In order to effectively collect all end-of-life vehicles it is necessary to inform the public on the existence of collection systems. Vehicle owners should be aware that they can in principle deliver an end-of-life vehicle, with or without the electric vehicle battery, to a collection point or authorised treatment facility free of charge. **In case of a missing electric vehicle battery, the owner should prove that the battery has been handled by a professional operator in accordance with Regulation (EU) 2023/1542.** The educational campaign by producers or producer responsibility organisations should also present the consequences for the environment and human health of improper collection and treatment of end-of-life vehicles.
- (47) The authorised treatment facility should issue a certificate of destruction to **the last owner upon delivery of the end-of-life vehicle** ~~document that an end-of-life vehicle was treated.~~ This is necessary to ensure a proper supervision of management of end-of-life vehicles. The minimum requirements for this certificate are currently laid down in Commission Decision 2002/151/EC²⁴ and the content of this Decision should be included in this Regulation, with necessary adaptations. This certificate should be issued in an electronic format and provided to the last owner of an end-of-life vehicle, and then transmitted by the authorised treatment facilities ~~and the last owner~~ to the relevant authorities of the Member State, as its presentation allows for cancelling the registration of a vehicle. The electronic notification system should enable transmitting both the document confirming collection of end-of-life vehicle and the certificate of destruction.

²⁴ Commission Decision 2002/151/EC of 19 February 2002 on minimum requirements for the certificate of destruction issued in accordance with Article 5(3) of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 50, 21.2.2002, p. 94–95).

- (48) Despite an obligation in Directive 2000/53/EC to transfer all end-of-life vehicles for treatment to an authorised treatment facility, there is a very significant share of vehicles whose whereabouts are unknown, and which might have been either illegally treated or exported as end-of-life vehicles, or whose status is not properly reported to the Member States registration authorities. Such vehicles are referred to as “missing vehicles”. Member States should strengthen their cooperation so as to reduce the number of missing vehicles. Recognition of certificates of destruction issued in another Member State and obligation to inform the authorities of the Member States, where the vehicle is registered, that a certificate of destruction is issued, should allow for better tracking of end-of-life vehicles’ whereabouts.
- (49) To ensure effective collection of end-of-life vehicles, explicit obligations should be addressed to vehicle owners. They should deliver their vehicle, when it reaches the end-of-life stage, to collection points or authorised treatment facilities ~~and present the certificate of destruction to the registration authorities in order to cancel the registration of their vehicle.~~ **When vehicles are damaged and insurance companies are involved in declaring them a technical or economic total loss, specific provisions should also apply to them. In case of abandoned vehicles authorities should set out rules for declaring the vehicle as an end-of-life vehicle and proceed accordingly with the provisions of this regulation. Abandoned vehicles include cases where they have been left unattended or illegally on public property, or vehicles that have been parked on private property without the consent of the owner of the property, or vehicles that have not been reclaimed after a notification by competent authorities to the owner, or vehicles which, according to competent authorities, pose a hazard to other road traffic.**
- (50) In order to ensure a uniform and environmentally sound treatment of end-of-life vehicles in the Union, it is essential to ensure that the authorised treatment facilities accept and treat all end-of-life vehicles, parts, components and materials, including waste parts from repairs of vehicles, in compliance with the conditions set out in their permits, as well as in accordance with the requirements set out in this Regulation, the best available techniques, and Directive 2010/75/EU of the European Parliament and of the Council²⁵.

²⁵ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (OJ L 334, 17.12.2010, p. 17).

- (51) In view of the key role of authorised treatment facilities in managing end-of-life vehicles in a way that does not adversely affect the environment or human health and contributes to the achievement of circular economy objectives of the Union, it is necessary to lay down obligations applying to such facilities and covering all their activities, from acceptance and storage of an end-of-life vehicle until its final treatment.
- (52) In order to ensure traceability on their activities, the authorised treatment facilities should document the performed treatment operations and electronically store the record for a minimum of three years, and be able to present it, upon request, to relevant national authorities.
- (53) The depollution of an end-of-life vehicle is the first step towards preventing damage to the environment, human health and risks to work safety. It is therefore essential that an end-of-life vehicle undergoes the necessary depollution operations as soon as possible after its delivery to the authorised treatment facility, before the end-of-life vehicle is treated any further. In this phase, waste oils should be collected and stored separately from the other fluids and liquids, and be further treated in accordance with Directive 2008/98/EC. In addition, the parts, components and materials containing lead, cadmium, mercury and hexavalent chromium, should be removed from the end-of-life vehicle, to avoid adverse effects on humans or the environment.
- (54) In order to ensure a proper implementation of Regulation (EU) 2023/1542 [~~OP: Batteries Regulation~~], all batteries incorporated in vehicles are to be separately removed from an end-of-life vehicle and stored in a designated area for further treatment.

- (55) In order to maximise the potential of reuse, remanufacturing and refurbishment of parts and components, and preserve a high value for the secondary materials which derive from end-of-life vehicles, certain parts and components should mandatorily be removed from an end-of-life vehicle prior to shredding. These parts and components ~~concerned~~ should be removed in a manual dismantling process or a semi-automated disassembly process **in a non-destructive way. When parts and components cannot fulfil any of these purposes, including cases when there is no market demand for reuse, remanufacturing or refurbishment, these parts and components can also be removed in a destructive (semi-automated) way.** To stimulate progress in technologies for dismantling, sorting, shredding and post-shredding, it should be possible to deviate from the requirement on mandatory removal of parts and components ~~in certain exceptional cases~~. It should be demonstrated **that** the parts and components concerned can be removed as effectively with those technologies than as with manual or semi-automated processes and without lowering the quality of the resulting treatment fractions. **For this purpose, criteria for shredding with other wastes and limit values to enhance the quality of the output fractions are included in Part G of Annex VII.** In order to take into account technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Annex VII.
- (56) Once the authorised treatment facilities have removed parts and components from an end-of-life vehicle, they should carefully assess and determine whether those parts and components are fit for reuse, remanufacturing or refurbishment, based on objective criteria linked to the technical features of the parts and components and requirements on vehicle safety.
- (57) Regulation (EU) 2023/~~[Batteries]~~**1542** sets out rules on the sustainability, performance, safety, collection, recycling and second life of batteries as well as on removal information about batteries for economic operators. The potential for a second life of batteries should be taken into consideration in this Regulation by excluding the electric vehicle battery from the essential parts or components' to allow for handing over the vehicle for treatment, free of charge, without the electric vehicle battery **if the last owner provides documentation to proof that the battery has been handled by a professional operator in accordance with Regulation (EU) 2023/1542.**

(58) Recognising the potential of remanufacturing and refurbishment in the automotive sector, and their contribution towards circular economy, it is necessary to provide legal clarity to the economic operators involved in this sector. It should therefore be clarified that parts and components removed from an end-of-life vehicle, which are suitable for **immediate reuse, or further remanufacturing or refurbishment by professional operators**, should not be considered waste. **Parts and components that are removed from end-of-life vehicles and assessed by authorised treatment facilities as fit for reuse are commonly destined for a secondary use, and in the case of refurbishment or remanufacturing sent to professional operators. In order to respect the waste hierarchy and to boost the circular use of spare parts, the transfer of these parts and components between economic operators should not be restricted. These parts and components should be properly checked, cleaned and, where necessary, tested by an authorised treatment facility so that they could be immediately reused without any other pre-processing, or in other cases be suitable for further remanufacturing or refurbishment. Such parts and components should not be considered as waste once transferred by an authorised treatment facility. Any transfer of such parts or components should include a technical assessment on their functioning, proper labelling and appropriate packaging against damage during transportation. In addition, a copy of the invoice or contract related to the transfer should be provided by the seller of the parts. This is necessary to facilitate the shipment, transportation or any other transfer of such parts and components.** The relevant national authorities should be in position to request documentation, from the authorised treatment facility that removed the part or component concerned, that confirms, via a dedicated assessment, the technical suitability of the relevant parts and components for remanufacturing, refurbishment or reuse.

- (59) In its evaluation of Directive 2000/53/EC, the Commission found that used spare parts and components are offered to the public by unidentified providers and often come from illegal activities. Therefore, new requirements should be established concerning the trading of used, remanufactured or refurbished parts and components. Such parts and components should, above all, be marked with a label indicating the vehicle identification number of the vehicle from which the component or part has been removed and details of the operator who removed them, **be appropriately protected against damage during transportation, loading and unloading of the parts and components and come with a copy of the invoice or contract related to the transfer of the parts or components for reuse, remanufacturing or refurbishment** ~~and be accompanied by a warranty.~~
- (59a) Where the end-user is a consumer, the business-to-consumer sale of used, remanufactured or refurbished parts and components would be covered by Directive (EU) 2019/771 of the European Parliament and of the Council²⁶. That Directive requires goods sold to be in conformity with the sales contract, and stipulates the liability of the seller and consumers' remedies in the event of a lack of conformity, such as free repair or replacement of the goods. Since removed parts and components fit for reuse or refurbished parts and components constitute second-hand goods in the meaning of Directive (EU) 2019/771, the seller and the consumer can agree on a shorter liability or limitation period that is not less than one year if the Member State concerned has provided for such a possibility. The economic operators concerned are encouraged to provide commercial guarantees on the reused, remanufactured and refurbished parts and components to consumers and to their customers in business-to-business transactions.

²⁶ Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC (OJ L 136 22.5.2019, p. 28-50)

- (60) In the interests of road safety and protection of the environment, certain components and parts which have been removed from end-of-life vehicles should not be reused, remanufactured or refurbished. Such parts and components should be used neither for the construction of new vehicles, nor in vehicles that have already been placed on the market.
- (61) In order to encourage the development and proper functioning of the market for reusable, refurbished and remanufactured parts and components in the Union, Member States should be encouraged to take the necessary incentives at the national level to promote the reuse, refurbishment and remanufacturing of parts and components, whether they are removed during the use or end-of-life phase of a vehicle. The Commission should facilitate the exchange of information among Member States by sharing their best practices on the incentives taken at the national level, with a view to monitoring their effectiveness.
- (62) In its evaluation of Directive 2000/53/EC, the Commission found that the definition of recycling in that Directive is too broad and not consistent with Directive 2008/98/EC, as it considers ‘backfilling’ as a recycling operation. Therefore, the Regulation should align the definition of recycling with Directive 2008/98/EC, excluding backfilling from its scope.
- (63) The recycling of all plastics from end-of life vehicles should be continuously improved, and it is important to ensure a sufficient supply of recyclates to meet the demand for recycled plastics in vehicles. It is therefore necessary to lay out a specific recycling target of 30 % of plastics from end-of-life vehicles. This target would be complementary to the targets for (85 %) of end-of-life vehicles as well as re-use and recovery (95 %) of end-of-life vehicles by average weight per vehicle and year. To facilitate the implementation of those requirements by waste management operators, a transitional period of three years is needed. In the meantime, the current targets for the re-use and recycling (85 %) as well as re-use and recovery (95 %) of end-of-life vehicles, as established by the Directive 2000/53/EC, and based on the definition of recycling in that Directive, should continue to apply. **When parts or components are successfully remanufactured or refurbished, they should be counted towards the achievement of the reuse targets by the authorised treatment facilities.**

- (64) It is important to increase the recovery of high-quality secondary materials by improving shredding processes of end-of-life vehicles. Therefore, end-of-life vehicles, their parts, components and materials should ~~not~~ **only** be processed in a shredder in combination with ~~packaging waste and waste electrical and electronic equipment, particularly to improve the separation of copper from steel fractions~~ **other waste if certain criteria and limit values are met.**
- (65) To further increase the treatment quality of end-of-life vehicles, it should ~~not~~ **only** be possible to landfill waste fractions resulting from shredded end-of-life vehicles, which contain non-inert waste and ~~which are not processed by post-shredder technology~~ **do not exceed certain limit values.**
- (66) End-of-life vehicles are classified as hazardous waste and cannot be exported to non-OECD countries. Depolluted end-of-life vehicles may still be treated outside the Union, provided that those depolluted end-of-life vehicles are shipped in compliance with Regulation (EU) ~~1013/2006~~ **2024/1157.**
- (67) In case an end-of-life vehicle is shipped from the Union to a third country, the exporter should provide documentary evidence approved by the competent authority in the destination country, confirming that the treatment conditions are broadly equivalent to the requirements of this Regulation and to human health and environmental protection requirements laid down in other Union legislation, in line with Regulation (EU) [~~new Waste Shipment Regulation~~] **2024/1157.**

(68) In order to ensure that end-of-life vehicles are treated in an environmentally sustainable manner, it is important to establish clarity on a vehicle's status throughout its entire life, particularly in situations when there is a need for distinguishing used vehicles from end-of-life vehicles. A vehicle owner that intends to transfer the ownership of a used vehicle **within the Union or to third countries**, should in particular ~~be required to demonstrate present~~ **documentation** that the vehicle is not an end-of-life vehicle. **This documentation can be an assessment according to Annex I, which contains criteria for determining whether a vehicle is an end-of-life vehicle, or a valid roadworthiness certificate. The assessment of Annex I, with binding criteria in Part A and indicative criteria in Part B, should be carried out in a cascading manner. As soon as one binding criterion of Part A is met, the vehicle is an end-of-life vehicle. If no criteria of part A apply, the indicative criteria of part B should be checked. If one of those indicative criteria apply, a further technical assessment would be necessary to determine whether the vehicle can be repaired to obtain a roadworthiness certificate. If not, the vehicle in question is to be considered an end-of-life vehicle. The Annex I assessment should be carried out by an independent automotive expert, but it would be up to the Member States to decide how exactly such independent automotive experts should be appointed. The independent automotive experts should be professionals with specialised knowledge in the field of automotive technology, repair and maintenance or vehicle value assessment, appointed to provide unbiased expertise, without conflicting interests with the parties involved. To avoid excessive burden for vehicle owners and primarily target the situation of a majority of potential end-of-life vehicles, an exemption should be included for sales of roadworthy vehicles by persons who are not economic operators and for which the actual sale is not conducted by means of distance contracts or online platforms. When seller and buyer only meet online, but the actual sale takes place in person, such sale should not be considered as sale conducted by means of distance contracts or online platforms. Taking into account the specific role of insurance companies concerning damaged vehicles, specific provisions should apply to these insurance companies to ensure that end-of-life vehicles that are declared technical or economic total loss are ending up at authorised treatment facilities. To assess the status of a used vehicle, the vehicle owner, other economic operators and competent authorities should verify if certain criteria determining whether or not the vehicle concerned is an end-of-life vehicle are met.** In order to take into account technical and scientific progress, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the

Commission in respect of amending **Part A, Part B and Part C, Section 1, point 1, of Annex I**, determining the criteria on when a vehicle is end-of-life vehicle.

- (69) The EU Action Plan: “Towards Zero Pollution for Air, Water and Soil”²⁷ stressed the need for the Commission to propose new measures to address the Union’s external environmental footprint linked to the export of end-of-life vehicles and used vehicles. Taking into account that the export of used vehicles raises important environmental and public health challenges as documented by the UN Environmental Programme²⁸, and that the Union is the biggest exporter of used vehicles worldwide, it is necessary to lay out specific requirements at Union level governing the export of used vehicles [from the Union]. The requirements should be based on objective criteria according to which a used vehicle is not an end-of-life vehicle and is to be roadworthy pursuant to Directive 2014/45/EU of the European Parliament and of the Council²⁹. This should ensure that only used vehicles which are suitable to be driven on the Union roads can be exported to a third country, thereby reducing risks that the export of used vehicles from the Union contributes to air pollution or road accidents in third countries. To allow customs authorities to verify that those requirements are met upon export, any person exporting a used vehicle should be required to provide those authorities with the vehicle identification number and a statement confirming that the used vehicle is not an end-of-life vehicle and that it is considered roadworthy.

²⁷ COM(2021)400

²⁸ <https://www.unep.org/resources/report/global-trade-used-vehicles-report>

²⁹ Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ L 127, 29.4.2014, p. 51–128).

(70) It is important to establish a mechanism where the compliance of used vehicles with the export requirements can be effectively verified without impeding the trade between the Union and third countries. An electronic system should therefore be established by the Commission, enabling authorities in the Member States to exchange information in real time on the vehicle identification number and the roadworthiness status of used vehicles to be exported. In view of its existing features and functionalities linked to the sharing, between vehicle registration authorities, of information relating to vehicles registered in the Union, the MOVE-HUB, a message exchange platform has been developed by the Commission for the exchange of messages to interconnect Member State national electronic registers. The platform currently hosts the interconnection of road transport undertaking registers (ERRU), the driving licence registers (RESPER), the interconnection of professional driver training registers (ProDriveNet), the notification of vehicle roadside inspection failures (RSI) and the interconnection of tachograph driver card registers (TACHOnet). Therefore, the functionalities of the MOVE-Hub should be further extended to enable the exchange of information on the vehicle identification number and the roadworthiness status of used vehicles to be exported. To allow customs to verify electronically and automatically whether a used vehicle to be exported complies with the export requirements, the electronic system operated by MOVE-HUB should be interconnected to the EU Single Window Environment for Customs, in accordance with Regulation (EU) 2022/2399 of the European Parliament and of the Council³⁰. That Regulation provides for a comprehensive framework of automated controls, which apply to a specific Union non-customs formality. Therefore, this Regulation should set out the main elements which are to be controlled, while the technical aspects of the implementation of this control would be laid down under Regulation (EU) 2022/2399. **MOVE-HUB would be used for the exchange of messages between the Member States. Member States may continue to use their own applications or third party applications, including the European Vehicle and Driving Licence Information System (EUCARIS), to connect to the MOVE-HUB electronic system.**

³⁰ **Regulation (EU) 2022/2399 of the European Parliament and of the Council of 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 (OJ L 317, 9.12.2022, p. 1).**

- (71) In order to ensure uniform conditions for the implementation of export requirements, implementing powers should be conferred on the Commission to develop the necessary electronic systems and make them operational with national systems.
- (72) Member States should collaborate with one another to ensure an effective implementation of the requirements governing the export of used vehicles and to provide mutual assistance. This assistance should include information exchange to verify the status of vehicles prior to their export, including confirming registration information in the Member State where they were previously registered. **Cooperation should entail, inter alia, providing access to relevant documents and information, including inspection findings, while adhering to applicable data protection regulations governing the requested authority.** Furthermore, in pursuit of comprehensive cooperation, **competent authorities of Member States** should cooperate with authorities from third countries.
- (73) It is important that customs authorities are able to carry out controls on used vehicles to be exported in accordance with Regulation (EU) No 952/2013 of the European Parliament and of the Council³¹. A significant share of used vehicles leaving the Union are destined to countries where import requirements are established or might be established, such as requirements in relation to the age of the vehicle or to its emissions. It is important that customs authorities are able to verify electronically and automatically, via the EU Single Window Environment for Customs, whether a used vehicle to be exported complies with those requirements, when the information on these requirements is officially communicated to the Commission by the third countries concerned. In order to protect the environment and road safety in third countries, the power to adopt delegated acts in accordance Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of setting these requirements.

³¹ **Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).**

- (74) To prevent the risk of vehicles being exported without the required documents indicating the vehicle identification number and roadworthiness of the vehicle and of non-compliance with export requirements being detected only when the vehicle has already left the Union, the application of ~~the simplified customs procedures~~ **the entry in the declarant's records and the self-assessment procedures** set out in Regulation (EU) No 952/2013 should not be allowed. Those procedures would prevent customs authorities from conducting real-time controls through the EU Single Window Environment for Customs, which would increase the risk of breaching the Union rules on the export of used vehicles.
- (75) In its evaluation of Directive 2000/53/EC, the Commission considered the lack of requirements on mandatory inspections as a shortcoming of the Directive. Therefore, this Regulation should set out minimum requirements concerning the frequency of inspections, their scope and characteristics of facilities subject to such inspections. The competitiveness of the authorised treatment facilities in relation to the illegal operators would thus be safeguarded and a continued compliance with conditions of permits and requirements on the collection and treatment of end-of-life vehicles would be ensured.
- (76) The inspections should cover compliance with the provisions on export of used vehicles and on treatment of end-of-life vehicles. Each year, the inspections should cover at least 10 % of authorised treatment facilities and operators. Sites of repair and maintenance operators should also be subjected to inspection. It needs to be underlined, that inspections carried out under this Regulation should be complementary to inspections on the shipment of end-of-life vehicles, which are comprehensively regulated in Regulation [OP: new Waste Shipment Regulation].
- (77) Member States should establish cooperation mechanisms at national and international level so that inspections can take place in an efficient manner. Such mechanisms should allow for the exchange of vehicle registration data, necessary for tracking the vehicles and checking if they have been properly treated when they reach end-of-life stage.

- (78) All necessary enforcement measures should be taken by the Member States to tackle illegal treatment of end-of-life vehicles, in order to prevent damages to the environment or human health due to such activities. Any establishment or undertaking treating end-of-life vehicles without a valid permit, or in breach of conditions or requirements set out in the permit, should therefore be subject to penalties. Also other measures, such as withdrawing the permit or suspending the operations of an operator should be considered by Member States to ensure effective compliance with this Regulation.
- (79) Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are implemented. The penalties should be established in particular for violations of the provisions on export of used vehicles, on delivery of end-of-life vehicles to authorised treatment facilities or collection points and on trading used, remanufactured or refurbished parts and components. The penalties provided for should be effective, proportionate and dissuasive.
- (80) Establishing reporting obligations is necessary to ensure proper implementation, monitoring and evaluation of Union legislation and to provide markets with up-to-date transparency information. Correct and valid data is indispensable for the Commission to assess whether the measures provided for in the Regulation function properly and to propose, where necessary, further adjustments aimed at ensuring environmentally sound treatment of end-of-life vehicles or at streamlining the implementation of the Regulation. With a view to limiting the burden linked to reporting, only data which are indispensable for the purpose of the implementation of this Regulation should be reported and reporting should be facilitated through digital tools. Based on these elements, it should be specified which data is to be reported by economic operators to the relevant authorities and by the Member States to the Commission. In order to ensure uniform conditions for the implementation of reporting requirements, implementing powers should be conferred on the Commission. The implementing acts, which should replace Commission Decision 2005/293/EC³², should also lay down a methodology for calculating and verifying whether the reuse, recycling and recovery targets have been attained.

³² Commission Decision 2005/293/EC of 1 April 2005 laying down detailed rules on the monitoring of the reuse/recovery and reuse/recycling targets set out in Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles (OJ L 94, 13.4.2005, p. 30–33).

- (81) The competent authorities of the Member States play an important role in verifying compliance with the obligations established under this Regulation relating to the collection and management of end-of-life vehicles, including better tracking by those authorities of the vehicles' whereabouts and combating illegal handling of end-of-life vehicles. Member States should thus require that waste management operators and other relevant economic operators provide the competent authorities with data allowing them to better monitor how the provisions on collection and management of end-of-life vehicles are being implemented.
- (82) The implementing powers that are conferred on the Commission by this Regulation should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³³.
- (83) When adopting delegated acts under this Regulation, it is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making³⁴. To ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.
- (84) Annex II to Regulation (EU) 2019/1020, which lists Union harmonisation legislation without provisions on penalties, should be amended to delete Directives 2000/53/EC and 2005/64/EC from that list as it is necessary that the current Regulation contains penalty provisions.
- (85) It is necessary to ensure that the type-approval related provisions and requirements of this Regulation are verified during the EU type-approval process. Regulation (EU) 2018/858 should therefore be amended accordingly.

³³ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

³⁴ OJ L 123, 12.5.2016, p.1.

- (86) Missing vehicles have been recognised as one of the major implementation challenges of Directive 2000/53/EC. The absence of an efficient system allowing for real time exchange of information between Member States on the registration status of vehicles hinders traceability and has been identified as a reason for the high number of “missing vehicles” in the Union. To address this, the Commission should propose a revision of Council Directive 1999/37/EC on the registration documents for vehicles³⁵. This revision should require Member States to record electronically, for vehicles registered on their territory, data allowing to properly document the reasons for the cancellation of a registration of a vehicle, especially if a vehicle has been treated as end-of-life vehicles in an authorised treatment facility, re-registered in another Member State, exported to a third country outside the Union, or stolen. Moreover, to prevent the illegal dismantling or export of vehicles that have been temporarily de-registered, the vehicle owners should be obliged to promptly report any changes in their ownership to the national vehicle registration authority. These amendments complement and build on the existing requirements for Member States to electronically record data on all vehicles registered on their territory.
- (87) In view of the need to ensure a high level of environmental protection and to take into account scientific progress, the Commission should submit to the European Parliament and to the Council a report on the application of this Regulation and its impact on the functioning of the single market and the environment. The Commission should include, in its report, an evaluation of the provisions on the design of new vehicles, including the targets for re-usability, recyclability and recoverability, the management of end-of-life vehicles, including the recycling targets, and on penalties as well as an assessment of the need and feasibility of further extending the scope of this Regulation to certain L-category vehicles, heavy-duty vehicles and their trailers. This assessment should focus not only on aspects concerning treatment of end-of-life vehicles, but also on the relevance and added-value of laying down design requirements.

³⁵ Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ L 138, 1.6.1999, p. 57).

- (88) The report from the Commission should also include an assessment of the measures concerning provision of information on substances of concern present in vehicles and whether the traceability of such substances need to be improved. It should also assess whether there is a need to introduce measures addressing the substances that may affect the treatment of vehicles when they reach end-of-life stage, in order to align it more closely with Regulation (EU) [Ecodesign for Sustainable Products].
- (89) It is necessary to provide for sufficient time for economic operators to comply with their obligations under this Regulation, and for Member States to set up the administrative infrastructure necessary for its application. The application of this Regulation should therefore be deferred.
- (90) In order to allow Member States to take the necessary administrative measures regarding establishment of collection systems, while keeping continuity for economic operators and waste management operators, repeal of Directive 2000/53/EC should be deferred.
- (91) This Regulation does not change the rules on restrictions on the use of lead, mercury cadmium and hexavalent chromium in vehicles established under Directive 2000/53/EC or exemptions from those restrictions. However, it lays down clearer rules on how compliance with these restrictions, as well as with other circularity requirements, are to be verified during the type-approval process. In order to ensure that manufacturers have sufficient time to comply with those rules, their application should be deferred. Therefore, provisions of Directive 2000/53/EC concerning restrictions on the use of lead, mercury cadmium and hexavalent chromium should remain in force until those rules become applicable, in order to ensure continuity and to assure that vehicles placed on Union's market do not contain such substances, in cases other than provided for in that Directive.
- (92) This Regulation also provides clearer provisions on extended producer responsibility than Directive 2000/53/EC. As establishment of such schemes and necessary national provisions on authorisation of producers and producer responsibility organisations requires some time, the application of those provisions should be deferred. The corresponding provisions of Directive 2000/53/EC should remain in force until those provisions become applicable in order to ensure continuity with regard to the producers financing of the costs of collecting end-of-life vehicles.

- (93) Similarly, this Regulation contains new requirements on the treatment of end-of-life vehicles, in particular on the removal of parts and components for the purpose of promoting their reuse, remanufacturing or refurbishment as well as increasing the quality of recycling processes. Waste management operators require time to adjust to those new requirements and the application of them should therefore be deferred. The corresponding provisions of Directive 2000/53/EC should remain in force until those requirements become applicable in order to ensure continuity with regard to treatment of end-of-life vehicles.
- (94) Obligations under Directive 2000/53/EC on reporting and the related obligations for the transmission of data to the Commission should remain in force for a period of time in order to ensure continuity until the new calculation rules and reporting formats are adopted by the Commission under this Regulation.
- (95) The application of all provisions concerning vehicle of categories L_{3e}-L_{7e}, M₂, M₃, N₂, N₃ and O should be deferred in order to provide sufficient time for operators to comply with the new requirements. This is particularly important with respect to permits for authorised treatment facilities that are capable of conducting depollution and further treatment of such vehicles.
- (96) In the interest of clarity, rationality and simplification, since the rules on type-approval of motor vehicles with regard to their reusability, recyclability and recoverability are all contained in this Regulation, the repeal of Directive 2005/65/EC should be deferred. This time provides sufficient time for manufacturers to ensure that the vehicles types they design and construct comply with the circularity requirements and for approval authorities to implement the new rules.
- (97) Since the objectives of this Regulation, namely to contribute to the functioning of the single market, to prevent and reduce the adverse impacts from management of end-of-life vehicles and to ensure a high level of protection of human health, and the environment, cannot be sufficiently achieved by the Member States but can rather, by reason of the need for harmonisation, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

HAVE ADOPTED THIS REGULATION:

CHAPTER I GENERAL PROVISIONS

Article 1

Subject matter

This Regulation lays down circularity requirements on vehicle design and production related to reusability, recyclability and recoverability and the use of recycled content, which are to be verified at type-approval of vehicles, and on information and labelling requirements on parts, components and materials in vehicles. It also lays down requirements on extended producer responsibility, collection and treatment of end-of-life vehicles, as well as on the export of used vehicles from the Union to third countries.

Article 2

Scope

1. This Regulation shall apply:
 - (a) to vehicles and end-of-life vehicles of categories M₁ and N₁ as set out in Article 4(1), point (a)(i) and (b)(i), of Regulation (EU) 2018/858;
 - (b) from [OP: Please insert the date = the first day of the month following 60 months after the date of entry into force of this Regulation] to vehicles and end-of-life vehicles of categories M₂, M₃, N₂, N₃ and O as set out in Article 4(1) of Regulation (EU) 2018/858;

- (c) from [OP: Please insert the date = the first day of the month following 60 months after the date of entry into force of this Regulation] to vehicles and end-of-life vehicles and of categories L_{3e}, L_{4e}, L_{5e}, L_{6e} and L_{7e} as set out in Article 4(2), points (c) to (g), of Regulation (EU) 168/2013.

2. This Regulation shall not apply to:

- (a) special purpose vehicles as defined in Article 3, point (31), of Regulation (EU) 2018/858;
- (b) other parts of a vehicle that have been type-approved in multi-stage type approval of category N₁, N₂, N₃, M₂ or M₃ than the base vehicle;
- (c) vehicles produced in small series, as defined in Article 3, point (30), of Regulation 2018/858;
- (d) vehicles of historical interest as defined in Article 3, point (7), of Directive 2014/45/EU.

3. Notwithstanding paragraph 1, point (b), the following provisions shall not apply to vehicles and end-of-life vehicles of categories M₂, M₃, N₂, N₃ and O:

- (a) Article 4 on reusability, recyclability and recoverability of vehicles;
- (b) Article 5 on requirements for substances in vehicles;
- (c) Article 6 on minimum recycled content in vehicles;
- (d) Article 7 on design to enable removal and replacement of certain parts and components in vehicles;
- (e) Article 8 on general obligations;
- (f) Article 9 on circularity strategy;
- (g) Article 10 on declaration on recycled content present in vehicles;
- (h) Article 12 on labelling of parts, components and materials present in vehicles;
- (i) Article 13 on circularity vehicle passport;

- (j) Article 21 on fee modulation;
- (k) Article 22 on cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State;
- ~~(l) Article 28 on general requirements for shredding;~~
- (m) Article 30 on mandatory removal of parts and components for reuse and recycling prior to shredding, **except for the entries 1-3 of Part C of Annex VII**;
- (n) Article 31 on requirements concerning the removed parts and components;
- (o) Article 32 on trade of used, remanufactured or refurbished parts and components;
- (p) Article 33 on reuse, remanufacturing and refurbishment of parts and components;
- (q) Article 34 on reuse, recycling and recovery targets;
- ~~(r) Article 35 on ban on landfilling of non-inert waste;~~
- (s) **Paragraph 2 of Article 36** on shipments of end-of-life vehicles.
4. Notwithstanding paragraph 1, point (c), the following provisions shall not apply to vehicles and end-of-life vehicles of categories L_{3e}, L_{4e}, L_{5e}, L_{6e} and L_{7e}:
- (a) Articles listed in paragraph 3;
- (b) Article 38 on controls and requirements on the export of used vehicles;
- (c) Article 39 on automated verification of the Vehicle Identification Number and the information on vehicle status;
- (d) Article 40 on risk management and customs controls;
- (e) Article 41 on suspension;
- (f) Article 42 on release for export;
- (g) Article 43 on refusal to release for export;
- (h) Article 44 on cooperation among authorities and exchange of information;

- (i) Article 45 on electronic systems.
5. Notwithstanding paragraph 2, point (a), the following provisions shall apply to special purpose vehicles:
- (a) Article 5 on requirements for substances in vehicles;
 - (b) Article 16 on extended producer responsibility;
 - (c) Article 20 on financial responsibility of producers;
 - (d) Article 23 on collection of end-of-life vehicles;
 - (e) Article 24 on delivery of end-of-life vehicles to the authorised treatment facilities;
 - (f) Article 25 on certificate of destruction;
 - (g) Article 26 on obligations for the vehicle owner;
 - (h) Article 29 on depollution;
 - (i) Article 30 on mandatory removal of parts and components for reuse and recycling prior to shredding.
6. Notwithstanding paragraph 1, points (b) and (c), Articles 16, 19, 20, 27 and 46 to 49 shall apply to vehicles and end-of-life vehicles of categories L₃, L₄, L₅, L₆, L₇, M₂, M₃, N₂, N₃ and O with the following modifications:
- (a) the extended producer responsibility, referred to in Article 16, shall include the obligation of producers of such vehicles to ensure that vehicles, that they have made available on the market for the first time within the territory of a Member State and that become end-of-life vehicles, are:
 - (i) collected, in accordance with Article 23;
 - (ii) depolluted, in accordance with Article 29;
 - (b) the authorisation, referred to in Article 19, shall be granted upon demonstration that the applicant meets the criteria laid down in Article 19(2) with respect to the collection and depollution of vehicles;

- (c) the financial contributions to be paid by producers in accordance with Article 20(1), point (a), shall cover the costs of collection and depollution of vehicles of such categories, which are not covered by the revenues of waste management operators linked to the sales of used spare parts and used spare components, of depolluted end-of-life vehicles, or of secondary raw materials recycled from end-of-life vehicles;
- (d) Article 27 shall apply except for paragraph 3, ~~points 2, point (c), and point (d),~~ **concerning the treatment of all end-of-life vehicles and their parts, components and materials in accordance with Articles 32, 35 and 36 and point (e), concerning Article 34;**
- (e) Articles 46 to 49 shall apply only with respect to enforcement of obligations applicable for such vehicle categories.

Article 3

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:
 - (1) ‘vehicle’ means any vehicle as defined in Article 3, point (15), of Regulation (EU) 2018/858 or listed in Article 4(2), points (c) to (g), of Regulation (EU) 168/2013;
 - (2) ‘end-of-life vehicle’ means a vehicle which is waste as defined in Article 3, point (1), of Directive 2008/98/EC, or ~~vehicles that are irreparable~~ **which is waste** according to ~~criteria Part A, points 1 and 2 of Annex I;~~
 - (3) ‘vehicle type’ means any type of vehicle as defined in Article 3, point (32), of Regulation (EU) 2018/858 or vehicle type as defined in Article 3, point (73), of Regulation (EU) No 168/2013;
 - (4) ‘reusability’ means the possibility for reuse of parts or components diverted from an end-of-life vehicle;
 - (5) ‘reuse’ means any operation by which parts or components of end-of-life vehicles are used **again** for the same purpose for which they were conceived;

- (6) ‘recyclability’ means the possibility for recycling of parts, components or materials diverted from an end-of-life vehicle;
- (7) ‘recoverability’ means the possibility for recovery of parts, components or materials diverted from an end-of-life vehicle;
- (8) ‘supplier’ means any natural or legal person who supplies parts, components or materials to a manufacturer who uses them to manufacture vehicles;
- (9) ‘plastic’ means a polymer within the meaning of Article 3, point (5), of Regulation (EC) No 1907/2006, to which additives or other substances may have been added **[and which can function as a main structural component of final products, with the exception of natural polymers that have not been chemically modified]**;
- (10) ‘critical raw materials’ means critical raw materials as defined in Article 2, point (2), of Regulation (EU) [Critical Raw Materials Act];
- (11) ‘post-consumer waste’ means waste that is generated from products after they have been placed on the market;
- (12) ‘removal’ means manual, mechanical, chemical, thermal or metallurgic handling with the result that the targeted parts, components or materials from end-of-life vehicles are individually identifiable as a separate output stream or part of an output stream;
- (13) ‘e-drive motor’ means an electric motor that converts electrical input power into mechanical output power to provide traction to a vehicle;
- (14) ‘electric vehicle battery’ means electric vehicle battery as defined in Article 3, point (14), of Regulation (EU) 2023/ [Batteries and waste batteries];
- (15) ‘authorised treatment facility’ means any establishment or undertaking that is permitted in accordance with Directive 2008/98/EC and this Regulation to carry out collection, **storage** and treatment of end-of-life vehicles;

- (16) ‘treatment’ means any activity after the end-of-life vehicle has been handed over to a facility for depollution, dismantling, compacting, shearing, shredding, recovery or preparation ~~for~~ **prior to** disposal of the shredder waste, and any other operation carried out for the recovery or disposal of the end-of-life vehicle and its parts, components and materials;
- (17) ‘shredding’ means any operation used for tearing into pieces or fragmenting end-of-life vehicles;
- (18) ‘repair and maintenance operator’ means any natural or legal person who, related to that person’s trade, business, craft or profession, provides repair or maintenance services, whether independently from or authorised by manufacturers;
- (19) ‘placing on the market’ means making available a vehicle for the first time in the Union;
- (20) ‘making available on the market’ means any supply of a vehicle for distribution or use on the market in the course of a commercial activity, whether in return for payment or free of charge;
- (21) ‘waste management operator’ means any natural or legal person dealing on a professional basis with the collection or treatment of end-of-life vehicles;
- (22) ‘producer’ means any manufacturer, importer or distributor who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2, point (7), of Directive 2011/83/EU, supplies a vehicle for the first time for distribution or use, within a territory of a Member States on a professional basis;
- (23) ‘producer responsibility organisation’ means a legal entity that financially or financially and operationally organises the fulfilment of extended producer responsibility obligations on behalf of several producers;
- (24) ‘appointed representative for the extended producer responsibility’ means a natural or legal person established in a Member State in which the producer makes vehicle available on the market for the first time, which is different from the Member State where the producer is established, and is appointed by the producer in accordance with Article 8a(5), third subparagraph, of Directive 2008/98/EC to fulfil the obligations of that producer under Chapter IV of this Regulation;

- (25) ‘secondary raw materials’ means materials that have been obtained through recycling processes and can substitute primary raw materials;
- (26) ‘vehicle owner’ means any natural or legal person holding the ownership right of a vehicle ~~and, if not specified otherwise, any or the holder of the registration certificate~~ **vehicle if the owner can not be identified**;
- (27) ‘post-shredder technology’ means techniques and technologies used to process materials from end-of-life vehicles, after they have been shredded, for further recovery **in accordance with Part G, point 2, of Annex VII**;
- (28) ‘remanufacturing’ means ~~an operation in~~ **professional actions through** which a new part or component is manufactured from parts and components that are ~~either~~ removed from vehicles or end-of-life vehicles and ~~in~~ **through** which at least one change is made ~~to the part or component~~ that **substantially** affects ~~its~~ **the** safety, performance, purpose or type **of the part or component**;
- (29) ‘refurbishment’ means actions carried out to prepare, clean, test, **service** and, where necessary, repair a part or component that is removed from vehicles or end-of-life vehicles in order to restore ~~the~~ **its** performance or functionality ~~of that part or component~~ within the intended use and range of performance originally conceived at the design stage ~~applicable~~ at the time of ~~its~~ **the placing of the part or component** on the market;
- (30) ‘packaging waste’ means packaging waste as defined in Article 3, point (2), of European Parliament and Council Directive 94/62/EC³⁶ [Article 3, point (20), of Regulation (EU) [Packaging and Packaging Waste Regulation];
- (31) ‘waste electrical and electronic equipment’ means waste electrical and electronic equipment as defined in Article 3(1), point (e), of Directive 2012/19/EU of the European Parliament and of the Council³⁷;
- (32) ‘non-inert waste’ means waste that does not meet the conditions of definition of ‘inert waste’ laid down in Article 2, point (e), of Council Directive 1999/31/EC³⁸;

³⁶ European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste (OJ L 365, 31.12.1994, p. 10).

³⁷ Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE) (OJ L 197 24.7.2012, p. 38).

- (33) ‘used vehicle’ means a vehicle which has been registered in a Member State or any other country and is not an end-of-life vehicle;
- (34) ‘used vehicle to be exported’ means a used vehicle that is to be placed under the customs procedure laid down in Article 269 of Regulation (EU) No 952/2013;
- (35) ‘economic operators’ means producers, ~~collectors~~, vehicle insurance companies, suppliers, repair and maintenance operators, waste management operators and any other operators involved in design of vehicles, trade in used vehicles, **reuse, remanufacturing and refurbishment of parts and components from vehicles**;
- (36) ‘roadworthy vehicle’ means a vehicle that is roadworthy in accordance with Article 5(1), points (a) and (b), Article 5(4) and Article 8 of Directive 2014/45/EU;
- (37) ‘economic total loss’ means a loss or damage to the vehicle to the extent that the cost of repairing exceeds its market value or the value for which it was insured;
- (38) ‘technical total loss’ means a severe damage or complete destruction of the vehicle to the extent that the vehicle cannot be repaired;
- (39) ‘collection point’ means an economic operator other than an authorised treatment facility, which temporary stores end-of-life vehicles and prepares for transfer of the collected end-of-life vehicles to authorised treatment facilities for treatment.
2. In addition to the definitions referred to in paragraph 1, the following definitions shall apply:
- (a) ‘waste’, ‘waste oils’, ‘waste holder’, ‘waste management’, ‘collection’, ‘prevention’, ‘recycling’, ‘recovery’, ‘backfilling’, ‘disposal’ and ‘extended producer responsibility scheme’ laid down in Article 3, points (1), (3), (6), (9), (10), (12), (15), (17), (17a), (19) and (21), of Directive 2008/98/EC;

³⁸ Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.7.1999, p. 1–19).

- (b) ‘type-approval’, ‘multi-stage type approval’, ‘component’, ‘parts’, ‘spare parts’, ‘base vehicle’, ‘vehicle produced in small series’, ‘special purpose vehicle’, ‘market surveillance authority’, ‘approval authority’, ‘manufacturer’, ‘importer’ and ‘distributor’ laid down in Article 3, points (1), (8), (19), (21), (23), (24), (28), (30), (31), (35), (36), (40), (42) and (43), of Regulation (EU) 2018/858;
- (c) ‘registration’, ‘registration certificate’, ‘suspension’, ‘holder of registration certificate’ and ‘cancellation of registration’ laid down in Article 2, points (b), (c), (d), (e) and (f), of Directive 1999/37/EC;
- (d) ‘vehicle of historical interest’, ‘roadworthiness test’ and ‘roadworthiness certificate’ laid down in Article 3, points (7), (9) and (12), of Directive 2014/45/EU;
- (e) ‘substance of concern’ and ‘data carrier’ laid down in Article 2, points (28) and (30), of Regulation [Ecodesign for sustainable products]
- (f) ‘customs authorities’ laid down in Article 5, point (1), of Regulation (EU) No 952/2013;**
- (g) ‘distance contract’ laid down in Article 2, point (7), of Directive 2011/83/EU;**
- (h) ‘online platform’ laid down in Article 3, point (i), of Regulation (EU) 2022/2065;**
- (i) ‘consumer’ laid down in Article 2, point (2), of Directive (EU) 2019/771.**

CHAPTER II

CIRCULARITY REQUIREMENTS

Article 4

Reusability, recyclability and recoverability of vehicles

1. Each vehicle belonging to a vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation] under Regulation (EU) 2018/858 shall be constructed so that it is:

- (a) reusable or recyclable to a minimum of 85 % by mass;
- (b) reusable or recoverable to a minimum of 95 % by mass.
2. For each vehicle type referred to in paragraph 1, manufacturers shall take the following measures:
- (a) collect the necessary data through the full chain of supply, in particular the nature and the mass of all materials used in the construction of the vehicles, to ensure continued compliance with the requirements;
- (b) keep all the other appropriate vehicle data required by the calculation process referred to in point (e);
- (c) verify the correctness and completeness of the information received from suppliers;
- (d) the breakdown of the materials shall be managed and documented;
- (e) calculate the reusability, recyclability and recoverability rates for the purposes of paragraph 1 in accordance with the methodology established by the Commission under paragraph 3 or, before such methodology has been adopted, in accordance with ISO standard 22628:2002 in combination with the elements set out in Part A of Annex II;
- (f) mark the parts and components of the vehicles made of polymers and elastomers in accordance with Article 12(1);
- (g) ensure that parts and components listed in Part E of Annex VII are not reused in the construction of new vehicles.
3. The Commission shall, by [*OP: please enter the date = the last day of the month following 35 months after the date of entry into force of this Regulation*], adopt an implementing act establishing a new methodology for calculation and verification of the rates of reusability, recyclability and recoverability of a vehicle, taking into account the elements set out in Annex II.
- That implementing act shall be adopted in accordance with the examination procedure referred to in Article 51(2).

Article 5

Requirements for substances in vehicles

1. The presence of substances of concern in vehicles and in their parts and components shall be minimised as far as possible.
2. In addition to the restrictions set out in Annex XVII to Regulation (EC) No 1907/2006 and, as applicable, to the restrictions set out in Annexes I and II to Regulation (EU) 2019/1021 and in Regulation (EU) 2023/[OP: Batteries], any vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation], under Regulation (EU) 2018/858 shall not contain lead, mercury, cadmium or hexavalent chromium.
3. By way of derogation from paragraph 2, vehicle types may contain lead, mercury, cadmium or hexavalent chromium under the conditions and up to the maximum concentration values laid down in Annex III.
4. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex III in order to adapt it to scientific and technical progress by:
 - (a) establishing maximum concentration values up to which the presence of lead, mercury, cadmium or hexavalent chromium in specific parts, components and homogenous materials of vehicles is to be tolerated;
 - (b) exempting certain parts, components and homogenous materials of vehicles from the prohibition on the presence of lead, mercury, cadmium or hexavalent chromium set out in paragraph 2 where the following conditions are fulfilled:
 - (i) the use of those substances is unavoidable;
 - (ii) it is demonstrated that socio-economic benefits outweigh the risk to human health or the environment arising from the use of those substances;
 - (iii) there are no suitable alternative substances or technologies.
 - (c) deleting parts, components and homogenous materials of vehicles from Annex III, if the use of lead, mercury, cadmium or hexavalent chromium is avoidable;

- (d) designating those parts, components and homogenous materials of vehicles that shall be removed before further treatment and require them to be labelled or made identifiable by other appropriate means.

The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex III, in particular by removing certain exemptions for homogenous materials and components from the list, in case the specific exemption is addressed under other Union legislation.

5. Upon request from the Commission, and within 12 months from the request, the European Chemicals Agency (the 'Agency') shall prepare a report on the technical and economic feasibility of alternatives pertaining to existing exemptions listed in Annex III and, based on such assessment, a motivated proposal for the specific amendment of the exemption.
6. As soon as it receives the request from the Commission, the Agency shall publish on its website a notice that a report on a possible amendment of an exemption in Annex III will be prepared and invite all interested parties to submit comments within eight weeks from the date of publication of the notice. The Agency shall publish on its website all comments received from the interested parties.
7. At the latest nine months following the submission of the report referred to in paragraph 4 to the Commission, the Committee for Socio-economic Analysis of the Agency, set up pursuant to Article 76(1), point (d), of Regulation (EC) No 1907/2006, shall adopt an opinion on the report and on the specific amendments proposed. The Agency shall submit that opinion to the Commission without delay.
8. The Commission shall adopt the delegated acts referred to in paragraph 4 and shall take into account the socio-economic impact of introducing, modifying or deleting an exemption to the restriction in the use of lead, mercury, cadmium or hexavalent chromium in vehicle types, including the availability of alternatives and the impacts on human health and the environment across the full lifecycle of vehicles.

Article 6

Minimum recycled content in vehicles

1. The plastic contained in each vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of the Regulation] under Regulation (EU) 2018/858 shall contain a minimum of 25 % of plastic recycled by weight from post-consumer plastic waste.

At least 25 % of the target set out in the first subparagraph shall be achieved by including plastics recycled from end-of-life vehicles in the vehicle type concerned.

[The weight of the plastic contained in each vehicle and the weight of recycled plastic referred to in the first subparagraph shall exclude elastomers, thermosets other than polyurethane foams used for cushioning and plastics that contain or are contaminated by any substance regulated by Article 7 of Regulation (EU) 2019/1021 when the thresholds of Annex IV of that Regulation are exceeded.]

2. By [OP: Please insert the date = the last day of the month following 23 months after the date of entry into force of this Regulation], the Commission shall adopt an implementing act in accordance with Article 51(2) to supplement this Regulation by establishing the methodology for the calculation and verification, for the purposes of paragraph 1 of this Article, of the share of plastics recovered from post-consumer waste, and from end-of-life vehicles respectively, present in and incorporated into the vehicle type.
3. The Commission is empowered to adopt delegated acts, in accordance with Article 50, to supplement this Regulation by establishing a minimum share of steel recycled from post-consumer steel waste to be present and incorporated into vehicle types to be type-approved in accordance with this Regulation and Regulation (EU) 2018/858.

The minimum share of recycled steel referred to in the first subparagraph shall be based on a feasibility study, carried out by the Commission. The study shall be finalised by [OP: Please insert the date = the last day of the month following 23 months after the date of entry into force of this Regulation], looking in particular at the following aspects:

- (a) the current and forecasted availability of steel recycled from post-consumer sources of steel waste;

- (b) the current share of post-consumer waste in various steel semi-products and intermediates used in vehicles;
- (c) the potential uptake of post-consumer recycled steel by manufacturers in vehicles to be type-approved in the future;
- (d) the relative demand of the automotive sector in comparison to the demand for post-consumer steel waste of other sectors;
- (e) economic viability, technical and scientific progress, including changes in the availability of recycling technologies concerning steel recycling rates;
- (f) the contribution of a minimum share of recycled content of steel in vehicles to the Union's open strategic autonomy, climate and environmental objectives;
- (g) the need to prevent disproportionate negative impacts on the affordability of vehicles; and
- (h) the influence on the overall costs and competitiveness of the automotive sector.

The Commission may adopt an implementing act establishing the methodology for the calculation and verification of the share of steel recycled from post-consumer steel waste present in and incorporated into vehicle types.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

4. By [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation], the Commission shall assess the feasibility of establishing a requirement on the minimum share of:

- (a) aluminium and its alloys, magnesium and its alloys, recycled from post-consumer waste and incorporated into vehicle types; and
- (b) neodymium, dysprosium, praseodymium, terbium, samarium or boron recycled from post-consumer waste and incorporated into permanent magnets in e-drive motors.

After finalisation of the assessment referred in the first subparagraph, the Commission is empowered to adopt delegated acts, in accordance with Article 50, to supplement this Regulation by establishing a minimum share of aluminium and its alloys, magnesium and its alloys, neodymium, dysprosium, praseodymium, terbium, samarium or boron recycled from post-consumer waste that shall be present in and incorporated into the vehicles types to be type-approved under this Regulation and Regulation (EU) 2018/858.

The minimum share of recycled content of the materials referred to in the second subparagraph shall be based on the feasibility study referred to in the first subparagraph, taking into account all of the following:

- (a) the current and forecasted availability of the materials listed in the second subparagraph recycled from post-consumer waste;
- (b) the current shares of recycled content from post-consumer waste in the materials listed in the second subparagraph in vehicles placed on the market;
- (c) economic viability, technical and scientific progress, including changes in the availability of recycling technologies concerning the type of materials recycled, and their recycling rates;
- (d) the contribution of a minimum share in vehicles of recycled content of the materials listed in the second subparagraph to the Union's strategic autonomy and its climate and environmental objectives;
- (e) possible impacts on the functioning of vehicles from incorporating recycled content of the materials listed in the second subparagraph into vehicle parts and components;
- (f) the need to prevent disproportionate negative impacts on the affordability of vehicles containing the materials listed in the second subparagraph;
- (g) the influence on the overall costs and competitiveness of the automotive sector.

The Commission may adopt an implementing act establishing the methodology for the calculation and verification of the share of the materials recycled from post-consumer waste in vehicle types.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 51(2).

Article 7

Design to enable removal and replacement of certain parts and components in vehicles

1. Each vehicle belonging to a vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation] shall be designed in a way which does not hinder the removal by authorised treatment facilities of the parts and components listed in Part C of Annex VII from the concerned vehicle during the waste phase of the vehicle.
2. Each vehicle belonging to a vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation] under Regulation (EU) 2018/858 shall be designed, as regards joining, fastening and sealing elements, so as to enable, in a readily and non-destructive manner, the removal and replacement of electric vehicle batteries and e-drive motors from the vehicle by authorised treatment facilities or repair and maintenance operators during the use phase and waste phase of the vehicle.
3. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend paragraph 2 by revising the list of parts and components that are to be designed for removal and replacement from vehicles, in order to include in that paragraph additional parts and components listed in Part C of Annex VII, taking into account technical and scientific progress.
4. The Commission may adopt implementing acts laying down the conditions for the design for removal and replacement of parts and components referred to in paragraph 2 where necessary to ensure harmonised implementation of the obligation set out in paragraph 2.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

CHAPTER III

OBLIGATIONS OF MANUFACTURERS

Article 8

General obligations

1. Manufacturers shall demonstrate that new vehicles that they have manufactured and that are placed on the market, are type-approved in accordance with the requirements of Regulation (EU) 2018/858 and of this Regulation.
2. For the purposes of type-approval of vehicles to which the requirements in Articles 4, 5, 6 or 7, the manufacturer shall provide the documentation showing compliance with those requirements and shall:
 - (a) include it in the information folder referred to in Article 24 of Regulation (EU) 2018/858; and
 - (b) submit it to the type-approval authority in accordance with Article 23 of Regulation (EU) 2018/858.
3. For the purposes of type-approval of vehicles to which the requirement in Article 9 applies, the manufacturer shall submit the circularity strategy to the type-approval authority together with the application for type-approval referred to in Article 23 of Regulation (EU) 2018/858.
4. For the purposes of type-approval of vehicles to which the requirements set out in Article 10 apply, the manufacturer shall draw up the information referred to in Article 10(1) and submit it, in accordance with Article 24(1), point (a), of Regulation (EU) 2018/858, to the type-approval authority together with the application for type-approval referred to in Article 23 of that Regulation.

5. For the purposes of type-approval of vehicles to which the requirements set out in Article 11 apply, the manufacturer shall submit the declaration confirming compliance with the requirement set out in Article 11(1), in accordance with 24(1), point (a), of Regulation (EU) 2018/858, to the type-approval authority together with the application for type-approval referred to in Article 23 of that Regulation.

Article 9
Circularity strategy

1. For each vehicle type that is type-approved under Regulation (EU) 2018/858 as of [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation], the manufacturer shall draw up a circularity strategy.
2. The circularity strategy shall describe which actions the manufacturers will take to follow-up on their obligations to ensure that the circularity requirements in Chapter II, which are verified in the type-approval procedures and which are applicable to the vehicle type concerned, are met.
3. The circularity strategy shall contain the elements laid down in Part A of Annex IV.
4. The manufacturer shall provide a copy of the circularity strategy to the Commission within 30 days after the type-approval for the concerned vehicle type has been granted.
5. The manufacturer shall monitor and follow up on the actions contained in the circularity strategy and update the strategy every five years in accordance with Part B of Annex IV. The updated circularity strategy shall be provided to the type-approval authority that issued the type-approval for the vehicle type and to the Commission.
6. The Commission shall make the circularity strategies and any updates to those strategies publicly available, except for confidential information.
7. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Part B of Annex IV by adapting the requirements on the content of the circularity strategy and the updates to that strategy to technical and scientific progress in vehicle manufacturing and management of end-of-life vehicles, to market developments in the automotive sector and to regulatory changes.

8. By [OP: Please insert the date = the last day of the month following 83 months after the date of entry into force of this Regulation] and every six years thereafter, the Commission shall draw up and publish a report on the circularity of the automotive sector. The report shall be based in particular on circularity strategies and updates to such strategies.

Article 10

Declaration on recycled content present in vehicles

1. Manufacturers shall declare, for each vehicle type that is type-approved as of [OP: Please insert the date = the first day of the month following 36 months after the entry into force of the Regulation] under Regulation (EU) 2018/858, the respective share of recycled content of:
- (a) neodymium, dysprosium, praseodymium, terbium, samarium, boron in permanent magnets in e-drive motors;
 - (b) aluminium and its alloys;
 - (c) magnesium and its alloys;
 - (d) steel.

The declaration shall concern the recycled content of these materials present in the vehicle type and indicate, per material share, whether the material is recycled from pre-consumer waste or from post-consumer waste.

2. The type-approval authorities shall verify that the required documentation has been submitted by the manufacturers and that it contains the information referred to in paragraph 1.
3. By way of derogation from paragraph 1, the requirement to declare the share of recycled content of a certain material shall not apply where a target has been established for that material under Article 6(3) or (4).

Article 11

Information on removal and replacement of parts, components and materials present in vehicles

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation], manufacturers shall provide waste management operators and repair and maintenance operators unrestricted, standardised and non-discriminatory access to the information listed in Annex V, enabling access to, and safe removal and replacement of, the following:
 - (a) electric vehicle batteries incorporated in the vehicle;
 - (b) e-drive motors incorporated in the vehicle;
 - (c) parts, components and materials which contain the fluids and liquids listed in Part B of Annex VII and which are contained in vehicles;
 - (d) parts and components listed in Part C of Annex VII contained in vehicles;
 - (e) parts and components, containing the critical raw materials as referred to in Article 27(1), point (b), of Regulation (EU) [CRM Act] at the time of the type-approval of the vehicle;
 - (f) digitally coded components and parts in a vehicle, where such coding prevents their repair, maintenance or replacement in another vehicle.
2. Manufacturers shall ensure cooperation with the authorised treatment operators and repair and maintenance operators by establishing necessary communication platforms to provide and keep up-to-date the information referred to in paragraph 1 and the information specified in Annex V.

The manufacturers shall provide the information referred to in the first subparagraph free of charge. The manufacturers may collect charges from waste management operators and repair and maintenance operators to the amount necessary to cover the administrative costs for making the required information accessible through communication platforms.
3. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex V by revising the list of parts, components and materials of vehicles and scope of information to be provided by the manufacturers.

Article 12

Labelling of parts, components and materials present in vehicles

1. Manufacturers and their suppliers shall use the nomenclature of the component and material coding standards listed in points 1 to 3 of Annex VI for the labelling and identification of parts, components and materials of vehicles.
2. Manufacturers shall ensure that e-drive motors containing permanent magnets bear a conspicuous, clearly legible and indelible label indicating the information listed in point 4 of Annex VI.
3. The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex VI in order to adapt it to technical and scientific progress.

Article 13

Circularity Vehicle Passport

1. From [*OP: please insert a date = the first day of the month following 84 months after entry into force of the Regulation*] each vehicle placed on the market shall have a circularity vehicle passport, which shall be aligned with and, where possible, integrated in other vehicle related environmental passports established under Union law.
2. The circularity vehicle passport shall contain the information referred to in Article 11 of this Regulation in digital format and shall be accessible free of charge.
3. The manufacturer placing the vehicle on the market shall ensure that the information in the circular vehicle passport is accurate, complete and up to date.
4. All information included in the circularity vehicle passport shall comply with the rules established by the Commission under paragraph 6 and shall be:
 - (a) based on open standards;
 - (b) developed with an interoperable format;
 - (c) transferable through an open interoperable data exchange network without vendor lock-in;

- (d) machine-readable, structured, and searchable.
5. The circularity vehicle passport of a vehicle that has become an end-of-life vehicle shall cease to exist at the earliest 6 months after the certificate of destruction for that end-of-life vehicle was issued.
6. The Commission shall adopt implementing acts laying down rules on the following:
- (a) the manner and technical specification of the solution to be used for accessing the circularity vehicle passport;
 - (b) the technical design and operation requirements for the circularity vehicle passport, including rules on:
 - (i) the interoperability of the circularity vehicle passport with other passports required by Union legislation;
 - (ii) the storage and processing of information included in the circularity vehicle passport;
 - (iii) the availability of the circularity vehicle passport after the manufacturer responsible for the fulfilment of the obligations set out in paragraph 3 ceases to exist or ceases its activity in the Union;
 - (c) the introduction, modification and updating of information included in the circularity vehicle passport by third parties other than the manufacturer;
 - (d) the location of the data carrier or other identifier enabling access to the circularity vehicle passport of the vehicle.

When laying down the rules referred to in the first subparagraph, the Commission shall take into account the need to ensure a high level of security and privacy.

The implementing acts referred to in the first subparagraph of this Article shall be adopted in accordance with the examination procedure referred to in Article 51(2).

CHAPTER IV

MANAGEMENT OF END-OF-LIFE OF VEHICLES

SECTION 1

GENERAL PROVISIONS

Article 14

Competent authority

1. Member States shall designate one or more competent authorities responsible for the obligations under this Chapter, in particular for monitoring and verifying compliance of **economic operators**, producers and producer responsibility organisations with their obligations as set out in Articles 15 to ~~36~~**37 and Annex I**.
2. Each Member State may designate one contact point, among the competent authorities referred to in the paragraph 1, for the purpose of communicating with the Commission.
3. Member States shall lay down the details of the competent authorities' organisation and operation, including the administrative and procedural rules for:
 - (a) the registration of producers in accordance with Article 17;
 - (b) the authorisation of producers and producer responsibility organisations in accordance with Article 19;
 - (c) the oversight of the implementation of extended producer responsibility obligations in accordance with Articles 16 and 20;
 - (d) the collection of data on vehicles and end-of-life vehicles in accordance with Articles 17(12) and 49(6);
 - (e) making information available in accordance with Article 49.
4. By [*OP: Please insert the date = the last day of the month following 3 months after the date of entry into force of this Regulation*], Member States shall notify the Commission of the names and addresses of the competent authorities designated pursuant to paragraph 1.

Member States shall inform the Commission without undue delay of any changes to the names or addresses of those competent authorities.

Article 15

Authorised treatment facilities

1. Without prejudice to Directive 2010/75/EU, any establishment or undertaking that intends to carry out treatment operations on end-of-life vehicles shall obtain a permit from the competent authority in accordance with Article 23 of Directive 2008/98/EC and shall comply with the conditions laid down in that permit.
2. In order to issue a permit referred to in paragraph 1, the competent authority shall verify whether the establishment or undertaking has the ~~technical, financial and organisational~~ capacity that is necessary to comply with the obligations set out in Article 27.
3. Permits referred to in paragraph 1 shall indicate that the treatment facilities have the competence to issue a certificate of destruction, as referred to in Article 25. **Member States may provide in general that treatment facilities are competent to issue the certificate of destruction referred to in Article 25.**
4. ~~The competent authority~~ **Member States** shall ensure that the conditions of, and the procedures for the granting of, the permit are fully coordinated where more than one competent authority or more than one establishment or undertaking intending to carry out treatment operations on end-of-life vehicles is involved in those permit procedures, **in order to guarantee an effective integrated approach by all authorities competent for this procedure.**

SECTION 2
EXTENDED PRODUCER RESPONSIBILITY

Article 16
Extended producer responsibility

From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] producers shall have extended producer responsibility for vehicles that they make available on the market for the first time within the territory of a Member State. The scheme established by producers to exercise that responsibility shall be consistent with Articles 8 and 8a of Directive 2008/98/EC and comply with the requirements of this Chapter.

The extended producer responsibility shall include the obligation for producers to ensure that:

- (a) vehicles which they have made available on the market for the first time within the territory of a Member State and which become end-of-life vehicles
 - (i) collected in accordance with Article 23;
 - (ii) treated in accordance with Article 27;
- (b) the waste management operators treating end-of-life vehicles referred to in point (a) meet the targets laid down in Article 34.

Article 17
Register of producers

1. By [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation] Member States shall establish a register of producers which shall serve to monitor compliance of producers with the requirements of this Chapter.

The register shall provide links to other national registers of producers' websites to facilitate, in all Member States, registration of producers or appointed representatives for the extended producer responsibility.

2. Producers shall register in the register referred to in paragraph 1. They shall to that end submit an application for registration in each Member State where they make a vehicle available on the market for the first time.

Producers shall submit the application for registration via an electronic data-processing system as referred to in paragraph 8, point (a).

Producers shall only make available vehicles on the market of a Member State, if they or, in case of authorisation, their appointed representatives for the extended producer responsibility, are registered in such Member State.

3. The application for registration shall include the information listed in Annex VIII. Member States may request additional information or documents, as necessary, to use the register of producers in an efficient manner.
4. By way of derogation from paragraph 3, the information referred to in point 1 (d) of Annex VIII shall be provided either in the application for registration under paragraph 3 or in the application for authorisation under Article 19.
5. Where a producer has appointed a producer responsibility organisation in accordance with Article 18, the obligations under this Article shall be met by that organisation *mutatis mutandis* unless otherwise specified by the Member State in which the vehicle has been made available on the market for the first time.
6. The obligations under this Article may be fulfilled on a producer's behalf by an appointed representative for the extended producer responsibility.
7. Member States may decide that the registration procedure pursuant to this Article and the authorisation procedure pursuant to Article 19 constitute a single procedure, provided that the application for authorisation meets the requirements set out in paragraphs 3 to 6 of this Article.
8. The competent authority shall:
 - (a) make available on its website information about the application process via an electronic data-processing system;

(b) grant registrations and provide a registration number within a maximum period of 12 weeks from the moment that all the information required under paragraphs 2 and 3 is provided.

9. The competent authority may:

(a) lay down modalities with regard to the requirements and process of registration without adding substantive requirements to those laid down in paragraphs 2 and 3;

(b) charge cost-based and proportionate fees to producers for the processing of the applications referred to in paragraph 2.

10. The competent authority may refuse to register a producer or withdraw the producer's registration where the information referred to in paragraph 3 and related documentary evidence are not provided or are not sufficient, or where the producer no longer meets the requirements laid down in Annex VIII, point 1 (d).

The competent authority shall withdraw the producer's registration if the producer has ceased to exist.

11. The producer, or, where applicable, the producer's appointed representative for the extended producer responsibility or the producer responsibility organisation appointed on behalf of the producers it represents shall without undue delay notify the competent authority of any changes to the information contained in the registration and of any permanent cessation as regards the making available on the market within the territory of the Member State of the vehicles referred to in the registration.

12. The producer or, where applicable, the producer's appointed representative for the extended producer responsibility or the producer responsibility organisation shall report to the competent authority responsible for the register on the performance of extended producer responsibility obligations.

Article 18

Producer Responsibility Organisation

1. Producers may choose to fulfil their extended producer responsibility obligations either individually or may entrust a producer responsibility organisation authorised in accordance with Article 19 to fulfill the extended producer responsibility obligations on their behalf.
2. Producer responsibility organisations shall ensure the confidentiality of the data in their possession as regards proprietary information or information directly attributable to individual producers or their appointed representatives for the extended producer responsibility.
3. In addition to the information referred to in Article 8a(3), point (e), of Directive 2008/98/EC, producer responsibility organisations shall publish on their websites at least each year, subject to commercial and industrial confidentiality, the information on the collection of end-of-life vehicles and achievement of targets on reuse and recycling, reuse and recovery and plastic recycling by the producers which entrusted the producer responsibility organisation.
4. Producer responsibility organisations shall ensure a fair representation of producers and waste management operators in their governing bodies.

Article 19

Authorisation on fulfilment of extended producer responsibility

1. A producer, in the case of individual fulfilment of extended producer responsibility obligations, and producer responsibility organisations appointed in the case of collective fulfilment of extended producer responsibility obligations, shall apply for an authorisation from the competent authority.
2. The authorisation shall be granted only where it is demonstrated that the requirements laid down in Article 8a(3), points (a) to (d), of Directive 2008/98/EC are complied with and the measures put in place by the producer or producer responsibility organisation are sufficient to meet the obligations set out in this Chapter with regard to the number of vehicles made available on the market for the first time within the territory of a Member State by the producer or producers on whose behalf the producer responsibility organisation acts.

3. Member States shall, in their measures laying down administrative and procedural rules referred to in Article 14(3), point (b), include the details of the authorisation procedure, which may differ according to whether it relates to individual or collective fulfilment of the extended producer responsibility obligations, and the modalities for verifying compliance of producers or producer responsibility organisations, including the information to be provided by producers or producers responsibility organisations to that end.
4. The producer or the producer responsibility organisations shall notify the competent authority without undue delay of any changes to the information contained in the authorisation, of any changes that concern the terms of the authorisation or of the permanent cessation of operations.
5. The self-control mechanism provided for in 8a(3), point (d), of Directive 2008/98/EC shall be carried out regularly, and at least every 3 years, and upon the request by the competent authority, in order to verify that the provisions in that point are complied with and the conditions for authorisation referred to in paragraph 2 continue to be met. The producer or the producer responsibility organisation shall, upon request, present a self-control report and, where necessary, the draft corrective action plan to the competent authority. Without prejudice to the competencies under paragraph 6, the competent authority may make observations on the self-control report and on the draft corrective action plan, and shall communicate any such observations to the producer or the producer responsibility organisation. The producer or producer responsibility organisation shall draw up and implement the corrective action plan based on those observations.
6. The competent authority may decide to revoke the authorisation if the producer or producer responsibility organisation no longer fulfils the requirements with regard to the organisation of the collection and treatment of end-of-life, fails in relation to reporting to the competent authority, fails to notify the competent authority of any changes that concern the terms of the authorisation, or has ceased operations.

Article 20

Financial responsibility of producers

1. The financial contributions paid by the producer shall cover the following costs related to the vehicles that the producer makes available on the market:

- (a) the costs of the collection of end-of-life vehicles that is necessary to meet the requirements in Articles 23 to 26 and the costs of the treatment of end-of-life vehicles that is necessary to meet the requirements in Articles 27 to 30, 34 and 35, provided that they are not covered by the revenues of waste management operators linked to the sales of used spare parts and used spare components, of depolluted end-of-life vehicles, or of secondary raw materials recycled from end-of-life vehicles;
 - (b) the costs of conducting awareness raising campaigns aimed to improve collection of end-of-life vehicles;
 - (c) the costs of establishing notification system referred to in Article 25;
 - (d) the costs of data gathering and reporting to the competent authorities.
2. The competent authority shall, in close cooperation with producers, producer responsibility organisations and waste management operators, monitor:
- (a) the average costs of collection, recycling and treatment operations and the revenues of waste management operators;
 - (b) the level of financial contributions to be paid by the producers to the producer responsibility organisations appointed in the case of collective fulfilment of extended producer responsibility obligations so that the costs are fairly allocated between all interested operators.
3. The financial contributions paid by the producers making available on the market special purpose vehicles shall cover only these costs referred to in point (a) of paragraph 1 that concern collection and depollution of such vehicles.
4. In the case of individual fulfilment of extended producer responsibility obligations, the producers shall provide a guarantee for vehicles that they make available on the market for the first time in the territory of a Member State. That guarantee shall ensure that the operations referred to in paragraph 1 relating to those vehicles will be financed.

The amount of the guarantee shall be determined by the Member States in which the vehicle has been made available on the market for the first time taking into account criteria laid down in Article 21.

The guarantee may take the form of participation by the producer in appropriate schemes for the financing of the management of end-of-life vehicles, a recycling insurance or a blocked bank account.

Article 21

Fee modulation

1. In the case of a collective fulfilment of extended producer responsibility obligations, producer responsibility organisations shall ensure that the financial contributions paid to them by producers are modulated by taking into account the following:
 - (a) the weight of the vehicle;
 - (b) the type of drivetrain;
 - (c) the rate of recyclability and reusability of the vehicle type to which the vehicle belongs, based on the information submitted to the type-approval authority in accordance with Article 4;
 - (d) the time needed to dismantle the vehicle at an authorised treatment facility, especially for parts and components which need to be removed prior to shredding under Article 30;
 - (e) the share of materials and substances preventing a high-quality recycling process, such as adhesives, composite plastics, or carbon-reinforced materials;
 - (f) the percentage of recycled content of materials listed in Articles 6 and 10 used in the vehicle;
 - (g) the presence and amount of substances referred to in Article 5(2).
2. The Commission is empowered to adopt delegated acts in accordance with Article 50 supplementing this Regulation by establishing detailed rules on how the criteria provided for in paragraph 1 are to be applied.

Article 22

Cost allocation mechanism for vehicles becoming end-of-life vehicles in another Member State

1. Where a vehicle becomes an end-of-life vehicle in another Member State than the Member State within whose territory the vehicle was made available on the market for the first time, the producer of that vehicle or, where appointed in accordance with Article 18, the producer responsibility organisation shall ensure that the net costs of waste management operations referred to in Article 20 incurred by waste management operators in other Member States are covered.
2. A producer or, where appointed in accordance with Article 18, a producer responsibility organisation shall:
 - (a) designate by a written mandate an appointed representative for the extended producer responsibility in each Member State;
 - (b) establish cross-border cooperation mechanisms with the waste management operators carrying out waste management operations referred to in Article 20.
3. The Member State where the vehicle became an end-of-life vehicle shall monitor producers' or, where appointed in accordance with Article 18, producer responsibility organisations' compliance with paragraphs 1 and 2. The monitoring shall be based on the information reported and verified by producers' or, where appointed in accordance with Article 18, producer responsibility organisations', to the competent authorities on the implementation of paragraphs 1 and 2, in particular on the calculation and allocation of costs for the management of end-of-life vehicles referred to in paragraph 1, with due regard for business confidentiality and other concerns regarding competitiveness.
4. Where necessary to ensure compliance with this Article and avoid distortion of the single market, the Commission is empowered to adopt delegated acts in accordance with Article 50 this Regulation by laying down detailed rules on the obligations of the producers, Member States and waste management operators and the features of the mechanisms referred to in paragraph 1.

SECTION 3
COLLECTION OF END-OF-LIFE VEHICLES

Article 23
Collection of end-of-life vehicles

1. The producers or, where appointed in accordance with Article 18, producer responsibility organisations shall set up, or participate in the setting up of, collection systems, ~~including collection points,~~ for all ~~end-of-life vehicles belonging to vehicle categories~~ that they have made available for the first time on the market in the territory of a Member State **and which have become end-of-life vehicles.**

Member States shall adopt the necessary measures to ensure that producers or, where appointed in accordance with Article 18, producer responsibility organisations set up collection systems for all end-of-life vehicles.

2. The producers or, where appointed in accordance with Article 18, producer responsibility organisations shall ensure that collection systems referred to in paragraph 1:
- (a) cover the whole territory of the Member State;
 - (b) ~~ensure~~ **are provided with** adequate availability of authorised treatment facilities **or collection points**, taking into account population size and density, expected volume of end-of-life vehicles, not being limited to areas where the collection and subsequent management is most profitable;
 - (c) ensure collection of waste parts from repairs of vehicles;
 - (d) enable collection of end-of-life vehicles of every brand, irrespective of their origin;
 - (e) enable the ~~delivery~~ **acceptance** of all end-of-life vehicles free of charge to **collection points or** authorised treatment facilities as provided in Article 24(2).
3. Producers or, where appointed in accordance with Article 18, producer responsibility organisations shall **publish and regularly update the list of collection points and authorised treatment facilities on their websites and** carry out educational campaigns

promoting the collection systems for end-of-life vehicles and informing about environmental consequences of improper collection and handling of end-of-life vehicles. **Member States may require that the educational campaigns shall be coordinated within the Member State, in collaboration with both the producers or, where appointed in accordance with Article 18, producer responsibility organisations and competent authorities.**

4. Member States may authorise ~~waste management operators~~ **collection points** other than authorised treatment facilities ~~to set up collection points for~~ **to collect** end-of-life vehicles.

~~The waste management operator operating the collection point shall:~~

The collection points shall obtain a permit from the competent authority in accordance with Article 23 of Directive 2008/98/EC and shall comply with the conditions laid down in that permit.

In order to issue a permit, the competent authority shall verify that such establishment or undertaking has the capacity that is necessary to carry out the following obligations:

- (a) ~~ensure that the collection point meets the conditions for storage of~~ **collect the** end-of-life vehicles **and temporarily store them in accordance with,** laid down in Part A of Annex VII;
- (b) ~~be authorised by the competent authorities referred to in Article 14 to collect end-of-life vehicles and be registered in the respective register~~ **prepare for the transfer of the collected end-of-life vehicles to authorised treatment facilities by preventing the accidental leakage of fluids and unauthorised access to the collection point;**
- (ba) **arrange for transport to an authorised treatment facility when eight or more end-of-life vehicles are stored at the same time at the collection point; and**
- (c) guarantee that all collected end-of-life vehicles are transferred to an authorised treatment facility within one year **month** from receipt of the end-of-life vehicle. ~~;~~ **and**
- (d) ~~meet all other applicable conditions for storage of waste laid down in national law.~~

5. The **collection points** ~~waste management operators, including authorised treatment facilities,~~ shall issue a document in electronic format, confirming receipt of an end-of-life vehicle, to the vehicle owner, and provide it through an electronic notification procedure established in accordance with Article 25(2) to the relevant authorities of the Member State, including the competent authorities designated under Article 14.

Article 24

Delivery of end-of-life vehicles ~~to authorised treatment facilities~~

1. **The owner, and any economic operator acting on behalf of the vehicle owner, of a vehicle that becomes an end-of-life vehicle shall deliver it to an authorised treatment facility or to a collection point without undue delay.** ~~All end-of-life vehicles shall be delivered for treatment to authorised treatment facilities.~~
2. Delivery of an end-of-life vehicle, **including spare or replacement parts following repair and maintenance of the vehicle,** ~~to an authorised treatment facility~~ shall be free of charge for the last owner of a vehicle unless the end-of-life vehicle lacks any of the essential vehicle parts or components, ~~except the electric vehicle battery,~~ or contains waste which has been added to the end-of-life vehicle.

Essential parts for the purpose of this article are:

- (a) **e-drive motors, including their casings and any associated control units, wiring, and other parts, components and materials;**
- (b) **electric vehicle batteries as defined in Article 3, point (14), of Regulation (EU) 2023/1542;**
- (c) **engines;**
- (d) **catalytic converters;**
- (e) **gear boxes;**
- (f) **bodywork.**

In case of a missing electric vehicle battery, the delivery of the end-of-life vehicle shall remain free of charge if the last owner provides documentation to proof that the

battery has been handled by a professional operator in accordance with Regulation (EU) 2023/1542.

3. The requirements set out in paragraph 2 shall not apply for vehicles that have been declared as technical total loss by the insurance companies.

Article 25

Certificate of destruction

1. Authorised treatment facilities shall issue a certificate of destruction ~~for every treated end-of-life vehicle~~ to the last owner **upon delivery** of the end-of-life vehicle **to the authorised treatment facility**. The certificate of destruction shall ~~contain the information listed~~ **be issued in accordance with the template set out** in Annex IX.
2. The certificate of destruction shall be issued in an electronic format and provided through an electronic notification procedure to the relevant authorities of the Member State, including the competent authorities designated under Article 14. **The authorised treatment facility shall provide a copy of the electronic notification to the last vehicle owner and any economic operator acting on behalf of the vehicle owner.**
3. In case the end-of-life vehicle, for which a certificate of destruction has been issued in a Member State, is registered in another Member State, the ~~vehicle registration~~ **relevant authorities of designated by** the Member State where the certificate of destruction was issued shall inform the relevant ~~vehicle registration~~ **authorities of designated by** the Member State where the vehicle is registered that a certificate of destruction has been issued for the vehicle in question.
4. The relevant **vehicle registration** ~~authorities of a Member State~~ shall cancel the registration of an end-of-life vehicle only after receiving the certificate of destruction for that vehicle.
5. Certificates of destruction issued in a Member State shall be recognised in all other Member States.

Article 26

Obligations for the vehicle owner

The owner of a vehicle that becomes an end-of-life vehicle shall:

- ~~(a) deliver the end-of-life vehicle to an authorised treatment facility or, in cases referred to in Article 23(4), to a collection point, without undue delay after receiving information that the vehicle meets any of the criteria for irreparability laid down in Part A, points 1 and 2, of Annex I;~~
- ~~(b) present a certificate of destruction to the relevant registration authority.~~

SECTION 4

TREATMENT OF END-OF-LIFE VEHICLES

Article 27

Obligations for authorised treatment facilities

1. Authorised treatment facilities shall ensure that all end-of-life vehicles and their parts, components and materials, as well as waste parts from repairs of vehicles, are accepted and treated in compliance with the conditions set out in their permits, as well as in accordance with this Regulation.
- ~~2. Authorised treatment facilities shall ensure that all treatment for end-of-life vehicles comply, as a minimum, with Articles 28, 29, 30, 31, 34 and 35 and Annex VII of this Regulation, and shall apply best available techniques as defined in Article 3(10) of Directive 2010/75/EU.~~
- 3.2. Authorised treatment facilities shall:
 - (a) store, even temporarily, all end-of-life vehicles and their parts, components and materials in compliance with the minimum requirements set out in Part A of Annex VII;

- (b) depollute all end-of-life vehicles, in compliance with Article 29 and the minimum requirements set out in Part B of Annex VII;
- (c) remove the parts and components listed in Part C of Annex VII from the end-of-life vehicle ~~prior to shredding shredding or compacting by means of manual dismantling or (semi-) automated disassembly in a non-destructive way for components with a reuse, remanufacturing or refurbishment potential~~ **in compliance with Article 30 and 31;**
- (d) treat all end-of-life vehicles and their parts, components and materials in accordance with **Articles 28, 29, 30, 31, 32, 35 and 36 and Annex VII of this Regulation**, the waste hierarchy and the general requirements laid down in Article 4 of Directive 2008/98/EC, ~~and with Articles 32, 34, 35 and 36 of this Regulation;~~
- (e) **ensure that all treatment for end-of-life vehicles referred to in paragraph 2 results in meeting the targets of Article 34, and shall apply best available techniques when applicable as defined in Article 3(10) of Directive 2010/75/EU.**

In addition to the requirements set out in Article 35 of Directive 2008/98/EC, the authorised treatment facilities shall electronically store the record of **all** the performed treatment operations, **referred to in points (a) to (e)**, of end-of-life vehicles for 3 years, and be able to present this information, upon request by relevant national authorities.

4.3. [The Commission is empowered to adopt delegated acts in accordance with Article 50 to amend Annex VII by adapting the minimum treatment requirements for end-of-life vehicles to scientific and technical progress **in treatment technologies, including:**

- (a) **adding, deleting or revising the parts and components listed in Part C of Annex VII;**
- (b) **revising the target values for the output fractions listed in point 2, of Part G of Annex VII;**
- (c) **expanding the list of aluminium alloy types listed in point 2b, of Part G of Annex VII;**

- (d) **adding quality requirements to enhance the separation of recyclable plastics and target values for subsequent recycling technologies applicable to point 2, of Part G of Annex VII.]**

5.4. Member States shall encourage authorised treatment facilities to introduce certified environmental management systems in accordance with Regulation (EC) No 1221/2009.

Article 28

General requirements for shredding

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] authorised treatment facilities and other waste management operators **carrying out shredding operations** shall request that end-of-life vehicles delivered to them for shredding, **or large structural parts and components from the chassis or bodywork from end-of-life vehicles of categories N2, N3, M2, M3 and O delivered to them for shredding or cutting** are accompanied by the following:
 - (a) ~~documentation which includes the Vehicle Identification Number (VIN) for the end-of-life vehicle concerned~~ **depolluted according to Article 29 and their parts and components removed according to Article 30; and**
 - (b) **accompanied by** a copy of the certificate of destruction that has been issued for the end-of-life vehicle concerned.
2. Authorised treatment facilities and waste management operators **carrying out shredding operations and** receiving end-of-life vehicles not compliant with the requirements set out in paragraph 1 shall:
 - (a) report the non-compliance to the competent authority, **including name and contact details of the natural or legal person who delivered the end-of-life vehicle to the authorised treatment facility or other waste management operator for shredding;**
 - (b) refrain from using those end-of-life vehicles in their shredding operations unless the competent authority authorises such operations **or until the necessary steps to treat the end-of-life vehicle in accordance with Article 29 and 30 and to issue a certificate of destruction in accordance with Article 25 have been taken.**

3. **Authorised treatment facilities and** waste management operators conducting shredding of end-of-life vehicles shall ~~not mix~~ **only shred** end-of-life vehicles, their parts, components and materials **together** with ~~packaging waste and waste electrical and electronic equipment~~ **other waste if the criteria and limit values of Part G, point (1) and (2), of Annex VII are met.**

Article 29

Depollution of end-of-life vehicles

1. ~~As soon as possible~~ **Within 30 days** after delivery of an end-of-life vehicle to the authorised treatment facility, that facility shall depollute those vehicles before they are further treated, in compliance with the minimum requirements set out in Part B of Annex VII.
2. The fluids and liquids listed in Part B of Annex VII shall be separately collected and stored, in line with the requirements set out in Part A of Annex VII. Waste oils shall be collected and stored separately from the other fluids and liquids and be treated in accordance with Article 21 of Directive 2008/98/EC.
3. The parts, components and materials containing substances referred to in Article 5(2) shall be removed from the end-of-life vehicles, and handled in accordance with Article 17 of Directive 2008/98/EC.
4. The batteries shall be separately removed from end-of-life vehicles and stored in a designated area for further treatment in accordance with Article 70(3) of Regulation (EU) 2023/1542 [~~OP: Batteries Regulation~~].
5. The parts, components and materials, that have been depolluted, shall be handled and labelled in accordance with Articles 18 and 19 of Directive 2008/98/EC.
6. The authorised treatment facility shall document the depollution of end-of-life vehicles, by recording the information listed in Part B, point 3, of Annex VII **and report this information for each calendar year to the competent authority of the Member State where the end-of-life vehicles were collected, within six months of the end of the calendar year and in a format designated by the competent authority of the Member State.**

Article 30

Mandatory removal of parts and components for reuse and recycling prior to shredding

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] authorised treatment facilities shall ensure that the parts and components listed in Part C of Annex VII, are removed from an end-of-life vehicle, prior to shredding **or compacting**, after the depollution operations referred to in Article 29, have been completed, **in a non-destructive way for parts and components with a reuse, remanufacturing or refurbishment potential according to Article 31.**

Authorised treatment facilities shall ensure that the removed parts and components of the first subparagraph without a reuse, remanufacturing or refurbishment potential are sent for recycling according to the treatment requirements as indicated in Part F of Annex VII.

2. ~~Paragraph 1 shall not apply~~ **Parts or components without a reuse, remanufacturing or refurbishing potential are not mandatory to remove prior to shredding** if an authorised treatment facility demonstrates, that post-shredder technologies separates materials from parts and components ~~listed as designated in the second column of Part C, entries 13 to 19, of Annex VII, as efficiently as manual dismantling processes or semi-automated disassembly processes~~ **and that the criteria and limit values of Part G, points (1) and (2), of Annex VII are met.**

For the purposes of the first subparagraph, the authorised treatment facility shall provide the information listed in Part G, **point 3**, of Annex VII.

3. In addition to the obligations set out in Article 35 of Directive 2008/98/EC, the authorised treatment facilities shall maintain records of the end-of-life vehicles that are processed without the prior removal of parts, components and materials in accordance with paragraph 2, including the name and address of the treatment facilities, and the Vehicle Identification Number (VIN) of the end-of-life vehicles concerned.

The authorised treatment facilities shall provide the information in the records referred to in the first subparagraph to the competent authority in accordance with Article 49(6).

Article 31

Requirements concerning the removed parts and components

1. **Authorised treatment facilities shall assess** all parts and components that have been removed from an end-of-life vehicle pursuant to Article 30(1), ~~shall be assessed to determine whether they are fit for:~~
 - (a) reuse, in accordance with Part D, point 1(a), of Annex VII;
 - (b) remanufacturing or refurbishment, in accordance with Part D, point 1(b), of Annex VII;
 - (c) recycling; or
 - (d) other treatment operations, taking into account the specific treatment requirements in Part F of Annex VII

~~The parts and components that are fit for reuse, remanufacturing or refurbishment shall not be considered waste.~~

The assessment shall be carried out taking into account in particular technical feasibility of conducting the processes referred to in the first subparagraph and vehicle safety requirements.

~~Documentation confirming the conducted assessment shall be, upon request, made available to the relevant national authorities, including when the parts and components are transported for the purpose of reuse, remanufacturing or refurbishment.~~

2. ~~The removed parts and components fit for reuse, remanufacturing or refurbishment shall be~~ **Authorised treatment facilities shall:**
 - ~~(e)~~ **(a)** **labelled the removed parts and components fit for reuse, remanufacturing or refurbishment** in compliance with Part D, point 2, of Annex VII;
 - ~~(f)~~ **(b)** **ensure appropriate protection against damage during transportation, loading and unloading of the parts and components;**

- (c) **provide a copy of the invoice or contract related to the transfer of the parts or components for reuse, remanufacturing or refurbishment.**
3. **The parts and components listed in Part E of Annex VII shall not be reused unless the conducted technical assessment confirms that the use of these parts and components complies with applicable vehicle requirements as set out in Regulation (EU) 2018/858. These replacement parts may only be transferred to another economic operator for reuse if they are to be installed by a qualified repair and maintenance operator.**
4. **The parts and components that are assessed as fit for reuse, remanufacturing or refurbishment shall not be considered waste. Authorised treatment facilities shall make available, upon request, documentation confirming the conducted assessment to the relevant national authorities, including when the parts and components are transported for the purpose of reuse, remanufacturing or refurbishment.**

Article 32

Trade of used, remanufactured or refurbished parts and components

1. From [*OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation*] any ~~person~~ **economic operator trading selling** used, remanufactured or refurbished spare parts and components shall ~~, at the point of sale:~~
- (a) ~~ensure that parts and components are labelled in compliance with Part D, point 2, of Annex VII;~~ **contain the labelling in accordance with Article 31(2), point (a).**
2. **In the case of selling the used, remanufactured or refurbished parts and components to consumers, the economic operators shall ensure that these parts and components are able to maintain their required functions and performance through normal use and comply with other requirements applicable to the goods sold in accordance with Directive (EU) 2019/771.**
- (b) ~~provide a warranty for the used, remanufactured or refurbished parts and components.~~
3. **These requirements shall apply irrespective of the trading technique used, including by means of online platforms as defined in Article 3, point (i), of Regulation (EU) 2022/2065.**

Article 33

Reuse, remanufacturing and refurbishment of parts and components

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] Member States shall take necessary incentives to promote the reuse, remanufacturing and refurbishment of parts and components, whether removed during the use or end-of-life phase of a vehicle.

The incentives referred to in the first subparagraph 1 may include:

- (a) a requirement for maintenance and repair operators to offer customers to repair a vehicle with used, remanufactured or refurbished spare parts and components alongside offer to repair the vehicle with new parts and components, provided that such a requirement is formulated not to create excessive costs or administrative burdens for micro- and small enterprises;
- (b) the use of economic incentives, ~~including the establishment of a reduced rate of value added tax for used, remanufactured or refurbished spare parts and components.~~

The Commission shall facilitate the exchange of information and sharing of best practices among Member States on such incentives.

2. The Commission shall monitor the effectiveness of the incentives given by Member States.

Article 34

Reuse, recycling and recovery targets

1. From [OP: Please insert the date = the first day of the calendar year following 36 months after the date of entry into force of the Regulation], Member States shall ~~ensure that~~ **adopt the necessary measures for the achievement by producers or, where appointed in accordance with Article 18, producer responsibility organisations, of the following targets ~~are to be~~ met by the waste management operators:**

- (a) the reuse and recovery, as calculated together, shall be a minimum of 95 %, by average weight per vehicle, excluding batteries, and year;

(b) the reuse and recycling, as calculated together, shall be a minimum of 85 %, by average weight per vehicle, excluding batteries, and year.

2. From [OP: please insert a date = the first day of the calendar year following 60 months after the date of entry into force of the Regulation] Member States shall **adopt the necessary measures for the achievement by producers or, where appointed in accordance with Article 18, producer responsibility organisations, to ensure that waste management operators achieve a yearly target for the recycling of plastics of at least 30 % of the total average weight of plastics of end-of-life vehicles contained in the vehicles delivered to the waste management operators.**

[The weight of the plastic recycled and the total weight of plastics referred to in the first subparagraph shall exclude elastomers, thermosets other than polyurethane foams used for cushioning and plastics that contain or are contaminated by any substance listed in Article 7 of Regulation (EU) 2019/1021 when the thresholds of Annex IV of that Regulation are exceeded.]

Article 35

Ban on landfilling of non-inert waste

From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] **the residue after treatment of the shredder heavy and light fractions from shredded end-of-life vehicles, containing non-inert waste, that are not processed by the post-shredder technology, shall not be accepted in a landfill if they exceed the limit values set out in Part G, points 2(c) and 2(d), of Annex VII.**

Article 36

Shipments of end-of-life vehicles

1. Treatment of end-of-life vehicles may be undertaken outside the Union, provided that the shipment of end-of-life vehicles is in compliance with Regulation (EC) No 1013/2006 **(EU) 2024/1157.**

2. Shipments of end-of-life vehicles from the Union to a third country in accordance with paragraph 1 shall only count towards the fulfilment of obligations and targets set out in Article 34 if the exporter of the end-of-life vehicles provides documentary evidence approved by the competent authority of destination demonstrating that the treatment took place in conditions that are broadly equivalent to the requirements laid down in this Regulation and to human health and environmental protection requirements laid down in other Union legislation.

CHAPTER V

DISTINCTION BETWEEN USED VEHICLES AND END-OF-LIFE VEHICLES AND THEIR EXPORT

~~SECTION 1~~

~~STATUS OF USED VEHICLES~~

Article 37

Distinction between used vehicles and end-of-life vehicles

1. For the purpose of transferring ownership of a used vehicle, the vehicle owner shall ~~be able to demonstrate~~ **present documentation** to any natural or legal person interested in acquiring ownership of the concerned vehicle ~~or to the competent authorities that the vehicle~~ **it is not an end-of-life vehicle. When assessing the status of a used vehicle, the vehicle owner, other economic operators and competent authorities shall verify if the criteria laid down in Annex I are met in order to determine whether it is not an end-of-life vehicle. This documentation shall consist of an assessment in accordance with Annex I, or a valid roadworthiness certificate.**

The first subparagraph shall not apply when ownership of roadworthy vehicles is transferred by natural persons who are not economic operators, for sales other than those concluded by means of distance contracts or online platforms.

When the ownership of the vehicle is transferred by an economic operator, that economic operator shall keep the documentation mentioned in the first subparagraph for at least two years from the date of the transfer of ownership.

2. For the purpose of a transfer of ownership of a vehicle that has been declared as an economic total loss, the owner shall provide the following documentation in addition to the requirements set out in paragraph 1:

(a) a copy of the damage history based on the assessment by the insurance company;

(b) an estimate of the costs of the repairs that are necessary to repair the vehicle to a technical condition sufficient to pass the roadworthiness test in accordance with Directive 2014/45/EU.

3. Without prejudice to the second subparagraph of paragraph 1, the requirements set out in paragraphs 1 and 2 shall apply irrespective of the trading technique used, including by means of dedicated auctions for economic operators, distance contracts or online platforms.

4. When assessing the damage of an accidented vehicle, the insurance company shall also assess whether the vehicle is an end-of-life vehicle or not according to Annex I.

Insurance companies shall provide competent authorities at least once a year with a list of:

(a) vehicle identification numbers of all vehicles that have been declared as an economic total loss, including a specification of those which are considered end-of-life vehicles in accordance with Annex I;

(b) vehicle identification numbers of all vehicles that have been declared as a technical total loss.

5. Competent authorities may require a vehicle owner, in case of doubt that a used vehicle may be an end-of-life vehicle, to present documentation that the vehicle concerned is not an end-of-life vehicle. This documentation shall consist of an assessment in accordance with Annex I or a new valid roadworthiness certificate.

6. [The Commission is empowered to adopt delegated acts, in accordance with Article 50 of this Regulation, to amend the criteria listed in Part A, Part B and Part C, Section 1, point 1, of Annex I, to determine whether a used vehicle is an end-of-life vehicle, taking into account technological progress in the area of traceability, repairability and safety.]

SECTION 2

EXPORT OF USED VEHICLES

CHAPTER Va

EXPORT OF USED VEHICLES

Article 37a

Competent authority

1. Member States shall designate one or more competent authorities responsible for the obligations under this Chapter.
2. By [OP: Please insert the date = the last day of the month following 3 months after the date of entry into force of this Regulation], Member States shall notify the Commission of the names and addresses of the competent authorities designated pursuant to paragraph 1. Member States shall inform the Commission without undue delay of any changes to the names or addresses of those competent authorities.

Article 38

Controls and requirements on the export of used vehicles

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] used vehicles to be exported shall be subject to the controls and requirements laid down in this ~~Section~~ **Chapter**.

2. This ~~Section~~ **Chapter** is without prejudice to any other provisions of this Regulation as well as to other Union legal acts governing the release for export of goods, in particular Regulation (EU) No 952/2013 and its Articles 46, 47, 267 and 269.
3. Used vehicles may be exported only if they are:
- (a) not end-of-life vehicles ~~based on the criteria listed in Annex I; and~~
 - (b) ~~considered~~ roadworthy **vehicles** ~~in the Member State where the vehicles were last registered, in accordance with Article 5(1), points (a) and (b), and Article 8 of Directive 2014/45/EU.~~
4. The following information shall be provided or made available to customs authorities for each used vehicle to be exported:
- (a) the Vehicle Identification Number (VIN) of the used vehicle and the identification of the Member State where the vehicle was last registered;
 - (b) a statement confirming that the used vehicle fulfills the requirements set out in paragraph 3.
5. In order to verify the compliance with this ~~Section~~ **Chapter** on allowing a used vehicle to be released for export:
- (a) until the interconnection referred to in Article 45(4) is operational, customs authorities ~~shall~~ **may** exchange information and cooperate with competent authorities in accordance with Article 44, and, where necessary, shall take into account such exchange of information and cooperation in order to allow a used vehicle to be released for export;
 - (b) once the interconnection referred to in Article 45(4) is operational, Articles 39, 40(2) and (3) and 42(3) shall apply, and notifications and other exchanges under Articles 41 to 43 shall take place by means of those electronic systems.
6. A used vehicle to be exported shall not:
- (a) ~~be placed under a customs procedure based on a simplified declaration pursuant to Article 166 of Regulation (EU) No 952/2013;~~

- (b) be subject to an entry in the declarant's records pursuant to Article 182 of Regulation (EU) No 952/2013;
- (c) be subject to self-assessment pursuant to Article 185 of Regulation (EU) No 952/2013.

~~7. The Commission is empowered to adopt delegated acts, in accordance with Article 50 of this Regulation, to amend the criteria listed in Annex I determining whether a used vehicle is an end-of-life vehicle.~~

Article 39

Automated verification of the information on vehicle status

1. Before releasing ~~a~~ used vehicles for export, customs shall verify electronically and automatically via the electronic systems referred to in Article 45(4), that based on the Vehicle Identification Number and the information on the Member State of last registration, the vehicle is ~~considered~~ roadworthy ~~in accordance with Article 38(3), point (b)~~.
2. Where the information provided or made available to customs does not correspond to the information in the national vehicle registers and national electronic systems on roadworthiness pursuant to paragraph 1, customs authorities shall not release that vehicle for export and shall inform the ~~economic operator~~ **natural or legal person** concerned thereof through ~~these~~ **their** systems.

Article 40

Risk management and customs controls

1. For the purpose of enforcing the provisions laid down in Article 38, customs authorities shall carry out controls on used vehicles to be exported in accordance with ~~Articles 46 and 47 of~~ **the provisions on risk management and customs controls laid down under** Regulation (EU) No 952/2013. Without prejudice to Article 39, such controls shall primarily be based on risk analysis, as established in ~~Article 46(2) of~~ Regulation (EU) No 952/2013.

2. In addition to the risk management referred to in paragraph 1, once the interconnection referred to in Article 45 is operational, ~~customs shall use~~ these electronic systems referred to in Article 45(1) **shall contain the information and customs shall automatically and electronically verify through the interconnection referred to in Article 45(4) to determine** whether a used vehicle to be exported complies with specific conditions linked to the protection of the environment or road safety in accordance with paragraph 3 of this Article.
3. The Commission is empowered to adopt delegated acts in accordance with Article 50 to supplement this Regulation by setting out the compliance conditions referred to in paragraph 2, including specific conditions applied to the import of used vehicles by the third country of import linked to the protection of the environment and road safety, when such conditions have been notified by that third country to the Commission. Those conditions shall be verifiable against the information available in the electronic systems referred to in Article 45(1).

Article 41

Suspension

1. Where there are reasonable grounds to believe that a used vehicle to be exported may not comply with the requirements of this ~~Section~~ **Chapter**, the customs authorities shall suspend the release for export of that used vehicle, ~~They shall also~~ immediately notify the competent authorities **designated under Article 37a** of the suspension and transmit all relevant information needed **for the competent authorities** to determine whether the used vehicle complies with the requirements of this Regulation and may be released for export.
2. For the purpose of determining whether a used vehicle, subject to suspension as referred to in paragraph 1, complies with this Regulation, the competent authorities may request, from any person involved in the export of that used vehicle, additional information, including information on the sale or transfer of vehicle ownership, such as a copy of the invoice or contract, and documentary evidence that that used vehicle is destined for further use.

Article 42

Release for export

1. Where the release for export of a used vehicle has been suspended in accordance with Article 41, that used vehicle shall be released for export where all the other requirements and formalities relating to such release have been fulfilled and where any of the following conditions is satisfied:
 - (a) the competent authorities **designated under Article 37a** have not requested, within four working days from the beginning of the suspension, the customs authorities to maintain the suspension, or
 - (b) the competent authorities **designated under Article 37a** have informed the customs authorities of their approval for release for export pursuant to this ~~Section~~ **Chapter**.
2. The release for export shall not be deemed proof of compliance with Union law and, in particular, with this Regulation or Regulation (EU) No 952/2013.
3. ~~After each release for export of a used vehicle,~~ Customs authorities shall **automatically** notify **the exit of the vehicle from the Union through the interconnection referred to in Article 45(4)** that release for export to the competent **vehicle registration** authority of the Member State **of last registration** where the vehicle in question was registered at the time of export. **The vehicle registration authority shall record in its national vehicle register that the vehicle was exported to the third country.**

Article 43

Refusal to release for export

1. Where the competent authority concludes that a used vehicle for which the suspension has been notified in accordance with Article 41 does not comply with this ~~Section~~ **Chapter**, they shall immediately require the customs authorities not to release it for export and notify them thereof.
2. Upon the notification from the competent authority pursuant to paragraph 1, the customs authorities shall not release the used vehicle for export.

3. **Where the competent authority concludes that a suspended used vehicle is an end-of-life vehicle, Regulation (EU) 2024/1157 shall apply.**

Article 44

Cooperation among authorities and exchange of information

1. **Competent authorities of** Member States shall mutually assist one another in the implementation of this ~~Section~~ **Chapter** through exchange of information at bilateral level, in particular for the purpose of verifying the status of a vehicle, including the verification of its registration status in the Member State in which it was previously registered.
2. Where appropriate, competent authorities of Member States shall also cooperate with administrative authorities from third countries. Such cooperation may include sharing of relevant information, conducting joint inspections, and other forms of mutual assistance as deemed necessary to ensure compliance with applicable laws and regulations governing the export of used vehicles.
3. Customs authorities and competent authorities of Member States shall cooperate in accordance with Article 47(2) of Regulation (EU) No 952/2013 and exchange information necessary for the fulfilment of their functions under this Regulation, including via electronic means. The customs authorities may communicate, in accordance with Article 12(1) and Article 16(1) of Regulation (EU) No 952/2013, confidential information acquired by the customs authorities in the course of performing their duties, or provided to the customs authorities on a confidential basis, to the competent authority of the Member State where the operator or trader is established.
4. Where the competent authorities have received information in accordance with paragraphs 1 to 3 of this Article, those competent authorities may communicate that information to competent authorities from other Member States.
5. Risk-related information shall be exchanged as follows:
 - (a) between customs authorities in accordance with Article 46(5) of Regulation (EU) No 952/2013;
 - (b) between customs authorities and the Commission in accordance with Article 47(2) of Regulation (EU) No 952/2013;

- (c) between customs authorities and competent authorities, including competent authorities from other Member States, in accordance with Article 47(2) of Regulation (EU) No 952/2013.

Article 45

Electronic systems

1. The MOVE-HUB electronic system developed by the Commission shall be used for exchanging Vehicle Identification Number and information on the vehicle registration and roadworthiness status between national vehicle registers and electronic systems on roadworthiness of the Member States, as well as, to interconnect to the EU Single Window Environment for Customs, where necessary for controls and requirements laid down in this **Section Chapter**.
2. The MOVE-HUB electronic system, referred to in paragraph 1 shall provide at least the following functionalities:
 - (a) exchange the data in real-time with the national vehicle registers, national electronic systems on roadworthiness of the Member States interconnected with it;
 - (b) enable an automated electronic check of data provided in a roadworthiness certificate, as referred to in Annex II of Directive 2014/45/EU, of the date of first registration of a vehicle, as well as of the Member State where a vehicle was last registered, as referred to in Directive 1999/37/EC, to determine whether a used vehicle to be exported complies with the requirements set out in Article 38, Article 39(1) and Article 40;
 - (c) interconnect to the EU Single Window Environment for Customs, in accordance with Regulation (EU) 2022/2399 for the purpose of exchanging data and support the process of exchange of information referred to in Articles 39(1) and Article 40(2), as well as support the notifications referred to in Articles 41 to 43;
 - (d) for the purpose of cooperation with third countries under Article 44(2), allow electronic exchange of information with the competent authorities of third countries which have notified to the Commission pursuant to Article 40(2) the specific conditions for the import of used vehicles that they apply.

3. Member States shall interconnect their national vehicle registers and national electronic systems on roadworthiness with the MOVE-HUB electronic system referred to in paragraph 1. That interconnection shall be operational within 2 years after the adoption of the implementing act referred to in paragraph 5.
4. The Commission shall interconnect the MOVE-HUB system referred to in paragraph 1 to the EU Customs Single Window Certificate Exchange System established in Article 4 of Regulation (EU) 2022/2399, so that the automated controls referred to in Article 39 and Article 40(2) and the notifications referred to in Articles 41, 42 and 43 can be performed. That interconnection shall be operational within 4 years after the adoption of the implementing act referred to in paragraph 5.
5. The Commission shall **by [OP: please enter the date = the last day of the month following 24 months after the date of entry into force of this Regulation]**, adopt the implementing acts laying down the necessary arrangements for the implementation of the functionalities of the MOVE-HUB referred to in paragraph 2, including the technical aspects necessary for the interconnection of national electronic systems to the MOVE-HUB, the conditions of connection to MOVE-HUB, the data to be transmitted by the national systems and the format for the transmission of that data through the interconnected national systems.

The implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

CHAPTER VI ENFORCEMENT

Article 46

Inspections

1. Member States shall, for the purpose of enforcing this Regulation, inspect:
 - (a) authorised treatment facilities;

- (b) repair and maintenance operators;
 - (c) other facilities and economic operators, which may treat end-of-life vehicles.
2. The inspections shall cover at least 10 % of the operators listed in paragraph 1, points (a) and (c), in each calendar year.
 3. Member States shall also carry out inspections concerning export of used vehicles in order to verify compliance with Article 38.

Article 47

Enforcement cooperation at national level and between Member States

1. Member States shall establish, as regards all relevant competent authorities involved in the enforcement of this Regulation, effective mechanisms to enable those authorities to cooperate and coordinate domestically concerning the development and implementation of enforcement policies and activities related to monitoring vehicles registration, de-registration, suspension and cancellation of the registration as well as prevention of illegal treatment of end-of-life vehicles.
2. Member States shall cooperate, bilaterally and multilaterally, with one another in order to facilitate the prevention and detection of illegal treatment of end-of-life vehicles. They shall exchange relevant information on vehicles registration, de-registration and suspension and cancellation of the registration, through the electronic exchange system referred to in Article 45. They shall also exchange relevant information on authorised treatment facilities and repair and maintenance operators not permitted as authorised treatment facilities, and other facilities and economic operators, who may perform operations concerning treatment of end-of-life vehicles. They shall share experience and knowledge on enforcement measures within established structures.

The exchange of vehicle registration data shall include access to and exchange of data on performance, and the nature and results of the checks carried out, with other Member States' competent authorities to facilitate the enforcement of this Regulation.

3. Member States shall notify to the Commission which members of their permanent staff that are responsible for the cooperation referred to in paragraph 2 of this Article and Article 44.

Article 48


Penalties

By [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] Member States shall lay down the rules on penalties applicable to infringements of Article 15(1), Article 16, Article 19(1), Article 22(1) and (2), Articles 23 and 24, Article 25(1) and (2), Articles 26 to 32, and Articles 34, 35, 37 and 38 of this Regulation, and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.

Article 49

Reporting to the Commission

1. From [OP: Please insert the date = the first day of the month following 36 months after the date of entry into force of this Regulation] Member States shall make publicly available in an aggregated form for each calendar year and in the format established by the Commission pursuant to paragraph 5, the following data, which shall be based on information and data received from producers, producer responsibility organisations and waste management operators:
 - (a) the number of vehicles registered in the Member State;
 - (b) the number of vehicles made available on the market for the first time in the territory of the Member State;
 - (c) the number and weight of end-of-life vehicles collected and depolluted in the Member State;
 - (d) the number and weight of end-of-life vehicles recycled in the territory of the Member State;
 - (e) the number and weight of end-of-life vehicles exported or shipped for further treatment to another Member State or a third country;
 - (f) the number of certificates of destruction issued;

- 
- (g) the total amount and weight of parts, components and materials removed from end-of-life vehicles for purpose of:
 - (i) reuse;
 - (ii) remanufacturing or refurbishment;
 - (iii) recycling;
 - (iv) recovery, including energy recovery;
 - (v) disposal;
 - (h) the amount and weight of end-of-life vehicles treated in a different manner than indicated in point (d);
 - (i) the amount and weight of end-of-life-vehicles used for backfilling;
 - (j) the rates of the targets laid down in Article 34 attained by all waste management operators that are active in the Member State;
 - (k) use of the exemption provided for in Article 30(2), and how it was monitored by the reporting Member State;
 - (l) data on the producer responsibility organisations, including the names of the legal persons they represent;
 - (m) data on the implementation of Article 21.

Member States shall make the data referred to in paragraph 1 publicly available within 18 months of the end of the reporting period for which it is collected. The data shall be machine readable, sortable and searchable, and shall respect open standards for third party use. Member States shall notify the Commission when the data referred to in the first subparagraph is made available.

The first reporting period shall be the first calendar year after the adoption of the implementing act referred to in paragraph 5.

2. The data made available by Member States in accordance with paragraph 1 shall be accompanied by a quality check report. That information shall be presented in the format established by the Commission pursuant to paragraph 5.
3. Member States shall every 5 years draw up a report summarising:
 - (n) incentives introduced to promote the reuse, remanufacturing and refurbishment of parts and components in accordance with Article 33;
 - (a) the application of penalties and other sanctions envisaged in their national law for infringements of this Regulation adopted in accordance with Article 48, including a list of type of infringements notified and types of measures taken;
 - (b) results of inspections carried out in accordance with Article 46;
 - (c) the manner of application of definitions of ‘end-of-life vehicle’ and ‘used vehicle’, including practical difficulties encountered in that context.

Member States shall submit the report to the Commission within 6 months from the end of the five year period which it covers. The first report shall be provided to the Commission by [*OP: please insert a date = the first day of the month following 6 years after the date of entry into force of this Regulation*].

The Commission shall review the reports submitted by the Member States and, if appropriate, draw up reports on the received information in order to facilitate the exchange of information on best practices applied in the Member States.

4. For the purpose of monitoring the implementation of this Regulation, the Commission shall collect and review the information made available in accordance with this Article.
5. The Commission shall adopt implementing acts laying down:
 - (a) the methodology and rules for the calculation, verification and reporting of data in accordance with paragraph 1, including:
 - (i) the methodology for determining the amount and weight of parts, components and materials removed for purposes referred to in paragraph 1, points (g), (h) and (i);

- (ii) the methodology for determining the weight of recycled waste, including determination of calculation points and measurement points, and, if necessary, possibilities of applying average loss rates;
 - (iii) the methodology for calculation and verification of the attainment of the reuse, recycling and recovery targets referred to in Article 34, **including the case of combined shredding of end-of-life vehicles with other wastes referred to in Article 28 and Part G, point 1, of Annex VII.**
- (b) the format for the reporting to the Commission referred to in paragraph 1, as well as the format for the quality check report.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 51(2).

6. Producers, producer responsibility organisations, waste management operators and other relevant economic operators provide competent authorities with accurate and reliable data allowing Member States to fulfil their reporting obligations under this Article.

CHAPTER VII

DELEGATED POWERS AND COMMITTEE PROCEDURE

Article 50

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Articles 5(4), 6(3), 6(4), 7(3), 9(7), 11(3), 12(3), 21(2), 22(4), 27(4), 38(7) and 40(3) shall be conferred on the Commission for a period of 5 years from [*OP: Please insert the date = the date of entry into force of this Regulation*]. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European

Parliament or the Council opposes such extension no later than three months before the end of each period.

3. The delegation of power referred to in Articles 5(4), 6(3), 6(4), 7(3), 9(7), 11(3), 12(3), 21(2), 22(4), 27(4), 38(7) and 40(3) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Articles 5(4), 6(3), 6(4), 7(3), 9(7), 11(3), 12(3), 21(2), 22(4), 27(4), 38(7) and 40(3) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 51

Committee procedure

1. The Commission shall be assisted by the committee established by Article 39 of Directive 2008/98/EC. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

CHAPTER VIII AMENDMENTS

Article 53

Amendments to Regulation (EU) 2019/1020

In Regulation (EU) 2019/1020, Annex II, points 10 and 11 are deleted.

Article 54

Amendments to Regulation (EU) 2018/858

Annex II to Regulation (EU) 2018/858 is amended in accordance with Annex X to this Regulation.

CHAPTER IX FINAL PROVISIONS

Article 55

Review

1. By 31 December 203* [*OP: Please insert the date = the last day of the year following 95 months after the date of entry into force of this Regulation*], the Commission shall review and draw up a report on the application of this Regulation and its impact on the environment, human health and the functioning of the single market and submit it to the European Parliament and to the Council.
2. Taking account of technical progress and practical experience gained in Member States as well as any revision of Regulation (EC) No 1907/2006, the Commission shall, in its report, include an evaluation on the following aspects of this Regulation:
 - (a) the need to extend the scope of this Regulation, in particular provisions of Chapters II and III, as well as Chapter IV Section II, to vehicles of categories L_{3e}, L_{4e}, L_{5e}, L_{6e} and L_{7e} as defined in Article 4(2), points (c) to (g), of the Regulation (EU)

168/2013 and vehicles of categories M₂, M₃, N₂, N₃ and O as defined in Article 4(1) of Regulation (EU) 2018/858;

- (b) the measures concerning provision of information on substances of concern present in vehicles and the need of introducing further provisions addressing substances of concern that may affect high-quality recycling of vehicles at their end-of-life;
- (c) the measures regarding management of end-of-life vehicles laid down in Chapter IV, including the levels of targets laid down in Article 34 and the need of their revision;
- (d) infringements and the effectiveness, proportionality and dissuasiveness of penalties as set out in Article 48;
- (e) the need to amend Article 5 of this Regulation;
- (f) the extent to which the issue of the missing vehicles has been solved and the need to include further measures addressing the issue of the traceability of vehicles..**

Article 56

Repeal and transitional provisions

1. Directive 2000/53/EC is repealed with effect from [OP: Please insert the date = the first day of the month following 12 months after the date of entry into force of this Regulation].

However, the following provisions of Directive 2000/53/EC shall continue to apply:

- (a) Article 4(2) until [OP: Please insert the date the last day of the month following 71 months after the date of entry into force of this Regulation];
- (b) Article 5(4), second subparagraph, Article 6(3), second sub-paragraph, Article 7(1), Article 8(3) and (4), until [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation];
- (c) Article 7(2) point (b), until 31 December 20** [OP: Please insert the year = the last day of the year following 35 months after the date of entry into force of this Regulation];

- (d) Article 9, paragraphs (1a) sub-paragraphs 1 and 3, (1b) and (1d) until [OP: Please insert the date = *the last day of the month following 35 months after the date of entry into force of this Regulation*];
- (e) Article 9(1a), sub-paragraph two, until [OP: Please insert the date = the last day of the month following 59 months after the date of entry into force of the Regulation].
2. Directive 2005/64/EC is repealed with effect from [OP: Please insert the date = the last day of the month following 71 months after the date of entry into force of this Regulation].
- However, its Article 6(3) is repealed with effect from [OP: Please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation].
3. References to the repealed Directives shall be construed as references to this Regulation and shall be read in accordance with the correlation tables in Annex XI.

Article 57

Entry into force and application

1. This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.
2. It shall apply from [OP: Please insert the date = the first day of the month following 12 months after the date of entry into force of this Regulation].

However, Article 54 shall apply from [OP: Please insert the date = the first day of the month following 72 months after the date of entry into force of this Regulation].

This Regulation shall be binding in its entirety and directly applicable in the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX I

CRITERIA FOR DETERMINATION WHETHER A ~~USED~~ VEHICLE IS AN END-OF-LIFE VEHICLE

This Annex establishes the criteria determining whether a vehicle is an end-of-life vehicle, and shall be applied as follows:

- 1. Part A lays down the criteria to assess the irreparability of a vehicle. If one or more of these criteria are met, the vehicle shall be considered an end-of-life vehicle.**

To determine whether the vehicle is an end-of-life vehicle or not, an independent automotive expert shall assess if the vehicle meets the criteria of Part A of Annex I. Member States may establish a list of independent automotive experts to carry out these assessments.

- 2. If none of the criteria of Part A apply, the vehicle shall also be assessed against the criteria of Part B. If one or more of the criteria of Part B apply, further analysis is required to determine whether the vehicle can be sufficiently repaired, within two years after the assessment, to obtain a roadworthiness certificate in accordance with Directive 2014/45/EU in the Member State where the vehicle was registered before repair.**

If the assessment determines that the vehicle cannot be repaired within this period, it shall be considered an end-of-life vehicle. If the assessment determines that the vehicle can be repaired within this period, it shall not be considered an end-of-life vehicle. If within two years following that technical assessment, the vehicle owner does not provide a roadworthiness certificate to the competent authority in accordance with Directive 2014/45/EU, the vehicle shall be considered an end-of-life vehicle.

To determine whether the vehicle is an end-of-life vehicle or not, an independent automotive expert shall assess the vehicle according to the first subparagraph of

paragraph two. Member States may establish a list of independent automotive experts to carry out these assessments.

- 3. A vehicle that fulfils the criteria of Part A or Part B is not an end-of-life vehicle as long as it meets the criteria of Part C.**

PART A

CRITERIA FOR ASSESSMENT OF REPARABILITY OF VEHICLES

- ~~4.~~ A vehicle is ~~technically~~ irreparable ~~if~~ **when** it meets one or more of the following criteria:
- (a) it has been cut into pieces or ~~stripped~~ **dismantled for reuse of parts and no longer used as a vehicle;**
 - (b) it has **one or more entry points** ~~been~~ welded up or closed by insulating foam;
 - (c) it has been ~~completely~~ burnt to the point where the engine compartment or passenger compartment is **completely** destroyed;
 - (d) it has been submerged in water to a level above the dashboard;
 - (e) one or several of the following components of the vehicle **are not technically repairable or replaceable** ~~cannot be repaired or replaced~~:
 - (i) ground coupling components (such as tyres and wheels), suspension, steering, braking, and their control components;
 - (ii) seat fixings and joints;
 - (iii) airbags, pre-tensioners, safety belts, and their peripheral operating components;
 - (iv) the vehicle's hull and chassis;

- (f) its structural and safety components have technical defects that are irreversible and turn them non-replaceable, such as metal aging, multiple breaks in primers, or excessive perforating corrosion;
- (g) its repair requires the replacement of the ~~engine, gearbox, shell, or chassis~~ assembly, resulting in the loss of the vehicle's original identity.
- (h) it was handed over for treatment to an authorised collection point or an authorised treatment facility or a certificate of destruction was issued for it;**
- (i) it has been declared as a total technical loss by an insurance company, based on the technical assessment carried out by an automotive expert.**
- (j) it lacks means allowing it to be identified, in particular the Vehicle Identification Number.**

~~2. The vehicle is economically irreparable if its market value is lower than the cost of the necessary repairs needed to restore it in the Union to a technical condition that would be sufficient to obtain a roadworthiness certificate in the Member State where the vehicle was registered before repair.~~

~~3. A vehicle may be considered technically irreparable when:~~

- ~~(k) — it has been submerged in water to a level below the dashboard, and damaged the engine or electrical system;~~
- ~~(l) — its doors are not attached to it;~~
- ~~(m) — its fuel or fuel vapours are discharged posing a risk of fire and explosion;~~
- ~~(n) — gas has leaked from its liquid gas system posing a risk of fire and explosion;~~
- ~~(o) — its operating liquids (fuel, brake fluid, anti-freeze liquid, battery acid, coolant liquid) have been discharged posing a risk of water pollution; or~~
- ~~(p) — its brakes and steering components are excessively worn.~~

~~(2) If one of those conditions is met, an individual technical assessment shall be carried out in order to assess if the technical status of a vehicle would be sufficient to obtain a roadworthiness certificate in the Member State where the vehicle was registered before repair.~~

PART B

~~INDICATIVE~~ LIST OF **INDICATIVE** CRITERIA FOR END-OF-LIFE VEHICLES

The following criteria **shall be assessed** ~~may also be used as additional justification to determine if a used vehicle is an end-of-life vehicle:~~

- ~~(a) absence of means allowing to identify a vehicle, in particular the Vehicle Identification Number;~~
 - (b) its owner is unknown **or the vehicle is abandoned;**
 - (c) it has not had its required national technical roadworthiness test for more than two years from the date when this was last required **or it has not been insured for at least two years;**
 - (d) it is not appropriately protected against damage during storage, transportation, loading and unloading; ~~or~~
 - ~~(e) it was handed over for treatment to an authorised collection point or an authorised waste treatment facility.~~
- it has been declared as a total economic loss by an insurance company;**
- (f) the repair costs necessary to repair that vehicle to a technical condition that would be sufficient to obtain a roadworthiness certificate in accordance with Directive 2014/45/EU and its current value exceed its estimated market value after repair;
 - (g) it has been submerged in water to a level below the dashboard, and damaged the engine or electrical system;

- (h) one or more of its doors are not attached to it;**
- (i) its fuel or fuel vapours are discharged posing a risk of fire and explosion;**
- (j) gas has leaked from its liquid gas system posing a risk of fire and explosion;**
- (k) its operating liquids (fuel, brake fluid, anti-freeze liquid, battery electrolyte solution, coolant liquid) have been discharged posing a risk of water pollution;**
- (l) its brakes and steering components are excessively worn; or**
- (m) its repair requires the replacement of the engine or gearbox.**

PART C

CRITERIA FOR EXEMPTIONS OF END-OF-LIFE VEHICLES

SECTION 1

VEHICLES OF SPECIAL CULTURAL INTEREST

- 1. Competent authorities in the Member State of registration of a vehicle, or one of its appointed authorising bodies, may recognise a vehicle as having a special cultural interest when it meets all of the following criteria:**
 - (a) its unique historical or cultural value or status has been documented by the vehicle owner or by the competent authorities of the Member State where a vehicle is registered or it is a single modified or custom-built vehicle which has been individually approved in accordance with Regulation (EU) 2018/858 or national law;**
 - (b) the owner is known and can be identified;**
 - (c) the parts of the vehicle can be identified by a serial number, or other identification provided by the manufacturer or assigned by the competent authority;**

- (d) the vehicle can be identified by the Vehicle Identification Number (VIN), or serial number, or other identification provided by the manufacturer or assigned by a competent authority;
2. The owner shall ensure that:
- (a) the vehicle is appropriately protected against damage during storage, transportation, loading and unloading;
- (b) the vehicle is kept and handled in an appropriate environmentally sound manner according to Union or national law.
3. The compliance of the vehicle with the criteria of paragraph 1 and paragraph 2 shall be verified at least every five years, or in case of a change in ownership.

SECTION 2 OTHER EXEMPTIONS

1. Competent authorities in the Member State of registration of a vehicle, or one of its appointed authorising bodies, may exempt a vehicle that is considered as an end-of-life vehicle in accordance with Part A or Part B, when the vehicle concerned is subject to restoration, upon request by a vehicle owner.

The vehicle owner shall submit a restoration plan to the competent authorities, including the specification of the necessary technical and financial capacities, to repair the vehicle to a technical condition sufficient to obtain a roadworthiness certificate in accordance with Directive 2014/45/EU. The restoration plan shall be approved by an independent automotive expert.

Competent authorities may grant the exemption if the vehicle can be restored within two years to a technical condition that is sufficient to pass the roadworthiness test in accordance with Directive 2014/45/EU. If competent authorities consider that the restoration plan does not provide sufficient information demonstrating that the vehicle can be restored to the required

condition, competent authorities may request the vehicle owner to revise the restoration plan.

2. The owner shall ensure that:

- (a) the vehicle is appropriately protected against damage during storage, transportation, loading and unloading;
- (b) the vehicle is kept and handled in an appropriate environmentally sound manner according to Union or national law.

3. If within two years following the submission of the restoration plan, the vehicle owner does not provide a roadworthiness certificate to the competent authority in accordance with Directive 2014/45/EU, the competent authority shall declare that vehicle as an end-of-life vehicle and request the vehicle owner to deliver it to an authorised treatment facility or to a collection point without undue delay.

Competent authorities may extend the restoration period with another two years based on an updated restoration plan which shall be approved by an independent automotive expert.

4. The costs related to the restoration and the assessments carried out by the independent automotive experts shall be borne by the vehicle owner.

ANNEX VII

TREATMENT REQUIREMENTS

PART A

MINIMUM REQUIREMENTS FOR STORAGE SITES AND TREATMENT SITES

1. Storage sites, including storage sites in the collection points, for the storage of end-of-life vehicles, prior to their treatment, and of their components, parts and materials, shall:
 - (a) have impermeable surfaces with spillage collection facilities, decanters and cleanser-degreasers;
 - (b) be equipped for the treatment of water, including rainwater, in compliance with health and environmental requirements.
 - (c) appropriate storage of end-of-life vehicles and only stack depolluted end-of-life vehicles, unless stacking racks are used, to an appropriate height;**
 - (d) immediately remove fluids and liquids of leaking end-of-life vehicles and collect leaked fluids and liquids with absorption material.**

2. Storage shall be organised so as to avoid damage to:
 - (a) components and parts containing the liquids and fluids listed in points 1 and 2, of Part B of this Annex VII;
 - (b) components, parts and materials listed in Part C of this Annex VII.

3. The sites where end-of-life vehicles and their components, parts and materials are treated shall have:
 - (a) impermeable surfaces for appropriate areas with the provision of spillage collection facilities, decanters and cleanser-degreasers;
 - (b) appropriate storage for parts, components and materials that have been removed from the end-of-life vehicle, including impermeable storage for oil-contaminated parts, components and materials;

- (c) appropriate containers for storage of batteries (with electrolyte neutralisation on site or elsewhere), filters and PCB/PCT-containing condensers;
 - (d) appropriate separate storage tanks for the segregated storage of end-of-life vehicle fluids: ~~fuel~~ **fuels, oils** (motor oil, gearbox oil, **power steering oil**, transmission oil, hydraulic oil), **oil filters**, cooling liquids, antifreeze, brake fluids, ~~battery acids, air-conditioning system fluids~~ **refrigerants, diesel exhaust fluid** and any other ~~fluid~~ **fluids or gases** contained in the end-of-life vehicle;
 - (e) equipment for the treatment of water, including rainwater, in compliance with health and environmental regulations;
 - (f) appropriate storage for used tyres, taking into account the need to prevent fire hazards and excessive stockpiling.
4. Authorised treatment facilities that are permitted to treat electric vehicles shall comply with the requirements set out in Annex XII of Regulation (EU) 2023/1542 ~~[Batteries and Waste Batteries]~~.

PART B

MINIMUM REQUIREMENTS FOR DEPOLLUTION

1. The following fluids and liquids shall be removed from the end-of-life vehicle, unless they are necessary for the reuse of the parts concerned:
- (a) fuel;
 - (b) motor oil;
 - (c) transmission oil;
 - (d) gearbox oil;
 - (da) power steering oil;**
 - (e) hydraulic oil;
 - (f) cooling liquids;

- (g) antifreeze;
- (h) brake fluids;
- (i) ~~air conditioning system fluids refrigerants; and~~
- (ia) diesel exhaust fluids; and**
- (j) any other ~~fluid~~ **fluids or gases** contained in the end-of-life vehicle.

After removal of the fluids and liquids, drain plugs are applied to prevent leakage of remains. The collection containers shall be labelled to indicate the type of liquid that is contained within them and stored separately from each other in a secure location, compliant with the Part A of this Annex, to prevent accidental spillage, leakage or unauthorised access to it.

1a. The following components, parts and materials shall be neutralised:

- (a) pyrotechnic parts of airbags;**
- (b) pyrotechnic parts of seat belts;**
- (c) any other pyrotechnic parts.**

2. The following components, parts and materials shall be removed from end-of-life vehicles:

- (a) ~~airbags, liquefied petroleum gas (LPG) tanks, compressed natural gas (CNG) tanks, hydrogen tanks and any other potentially explosive parts and components shall be neutralised~~ **oil filters;**
- (b) ~~air conditionings systems and~~ refrigerants shall be treated in accordance with Regulation (EU) No ~~517/2014~~ **2024/573**;
- (c) components identified as containing mercury, shall be separated during treatment into an identifiable stream, which shall be safely immobilised and disposed in accordance with Article 17 of Directive 2008/98/EC;
- (d) materials containing substances referred to in Article 5(2), which need to be labelled as laid down in Annex III, shall be separated during treatment into an identifiable stream, which shall be safely immobilised and disposed in accordance with Article 17 of Directive 2008/98/EC.

All parts, components and materials collected during the depollution shall be stored in designated containers. The collection containers shall be labelled to indicate the components, parts and materials that are contained within them and stored in a secure location in compliance with Part A, in order to prevent accidental spillage, leakage or unauthorised access to it.

3. The following information on the depollution of the end-of-life vehicles shall be recorded:
- (a) ~~date and time of depollution operations~~ **total number of treated end-of-life vehicles;**
 - (b) ~~type of depollution operations carried out~~ **the average weight of the end-of-life vehicles before and after depollution and removal;**
 - (c) ~~total quantity and nature of each type of depolluted waste fluids, parts, components or materials, including materials and pollutants removed or neutralized;~~ **total quantity and nature of each type of depolluted waste fluids, parts, components or materials, including materials and pollutants removed or neutralized;**
 - (d) name and contact details of the waste transporter, if applicable;
 - (e) **name, contact information and achieved percentage of reuse, recovery, recycling, energy recovery, incineration or disposal** of the final ~~disposal~~ **treatment** site for the **waste fluids, parts, components or materials** collected during the depollution process.

PART C

MANDATORY REMOVAL OF PARTS AND COMPONENTS FROM END-OF-LIFE
VEHICLES

	Exempted under point 2, of Article 30, if the conditions of Part G of Annex VII apply
1. Electric vehicle batteries, including their battery management systems, onboard chargers for electric vehicles, casing or housing if present;	
2. E-drive motors, including their casings, generators, alternators and cooling fan motors if present, and any associated control units, wiring, and other parts, components and materials directly fastened or attached to E-drive motors;	
3. SLI batteries as defined in Article 3, point (12), of Regulation (EU) 2023/1542 and other batteries as defined in Article 3, point (9), of Regulation (EU) 2023/1542 ***[on batteries and waste batteries];	
4. Combustion engines blocks with generators, starter, alternators, turbo-chargers, radiator and cooling fan motors and associated devices;	X
5. Catalytic converters;	
6. Gear boxes, including control units;	X
7. At least 70% of the total glass from windshields, rear and side windows made of glass, including rooftop glass installations;	
8. Wheels Rims;	
9. Rubber tyres;	
10. Dashboards;	
11. Directly accessible parts of the infotainment system, including	

sound, navigation, including radar or lidar control units and sensors if present , and multimedia controllers, including displays of a surface greater than 100 square centimetres;	
12. Head- and taillights , including their actuators;	
13. Main wire harnesses, including internal and external charging cables if present ;	X
14. Crash management system, including bumpers covers, beams and crash boxes ;	X
15. Fluid containers ;	
16. Heat exchangers;	
17. Any other mono-material metal components, heavier than 10 kg ;	
18. Any other mono-material plastic components, heavier than 10 kg ;	
19. Electrical and electronic components: <ul style="list-style-type: none"> (a) inverters and DC-DC converters with electric voltage above 24V or a weight above 1 kilogram of the electric vehicles; (b) printed circuit boards with a surface area, larger than 10 cm² square centimetres; (c) photo-voltaic (PV) panels with a surface area, larger than 0.2 m² square metres; (d) control modules and valve boxes for the automatic transmission-; (e) oxygen, radar and lidar sensors if present. 	X

PART D

REUSE, REMANUFACTURING AND REFURBISHMENT OF PARTS AND COMPONENTS

1. Technical evaluation of the removed parts and components:
 - (a) For reuse:
 - (i) the part or component is functional;
 - (ii) it is fit to be used, in a readily manner, for its primary purpose it was conceived for.
 - (b) For remanufacturing or refurbishment:
 - (i) the part or component is complete;
 - (ii) an assessment of damage, reduced functionality or performance and repairs needed for restoring the part or component to a state where it is fit to be used;
 - (iii) there is no heavy corrosion.
2. Minimum information to be provided in the labelling of the parts and components:
 - (a) name of the component or part;
 - (b) reference to the vehicle identification number (VIN) of the vehicle from which the component or part has been removed; and
 - (c) name, the postal address, indicating a single contact point and e-mail address, a web-address, if applicable, identifying the ~~operator~~ **authorised treatment facility** that removed the component or part.

PART E

COMPONENTS AND PARTS NOT TO BE REUSED

1. All airbags including cushions, pyrotechnic actuators, electronic control units and sensors.
2. ~~Emission after treatment systems (e.g. catalytic converters, particulate filters).~~
3. ~~Exhaust silencers.~~
4. Automatic or non-automatic seat belt assemblies, including webbing, buckles, retractors, pyrotechnic actuators.
5. Seats in cases where they incorporate safety belt anchorages and/or airbags.
6. Steering lock assemblies acting on the steering column.
7. Immobilisers, including transponders and electronic control units.

PART F

SPECIFIC TREATMENT REQUIREMENTS OF THE REMOVED PARTS, COMPONENTS AND MATERIALS

1. SLI Batteries shall be treated in accordance with Article 70 of the Regulation (EU) 2023/1542 ~~****[on batteries and waste batteries]~~.
2. Electric vehicle batteries shall be treated in accordance with Article 70 of the Regulation (EU) 2023/1542 ~~****[on batteries and waste batteries]~~.
3. Permanent magnet materials containing neodymium, dysprosium or praseodymium ~~as defined~~ (Neodymium-Iron-Boron (NdFeB), as defined in Article 27 ~~of~~ Regulation (EU) 2024/1252 ~~[proposal for Regulation on CRMs]~~, copper from e-drive motors that are not suitable for reuse, remanufacturing or refurbishment, shall be removed

where the process for removal is feasible to be performed by authorised treatment facilities without excessive cost. In case of lack of technical progress to recycle NdFeB permanent magnet materials, the e-drive motors or its permanent magnet material containing parts shall be stock-piled and labelled in accordance with Article 27(1), point (b), of Regulation (EU) 2024/1252 [~~proposal for Regulation on CRMs~~]. **For the purpose of future recycling, the requirements related to the temporary storage of Directive 1999/31/EC shall not apply.**

4. Removed electronic components and parts, which are not subject for reuse, remanufacturing or refurbishment and non-ferrous fractions, including shredded printed circuit boards, shall be treated by treatment operators as specified in Article 8(3) of Directive 2012/19/EU.
5. Removed glass from the end-of-life vehicle, as a minimum, shall be recycled into container glass, fibre glass, or equivalent quality.
6. **Removed refrigerants shall be recycled, reclaimed or destroyed in accordance with Article 8 of Regulation (EU) 2024/573.**
7. **The plastics and residue fractions shall be handled in accordance with Article 7 of Regulation (EU) 2019/1021 and the thresholds of Annex IV of that Regulation.**
8. **Rubber tyres shall be processed in accordance with the waste hierarchy and the general requirements laid down in Article 4 of 2008/98/EC to prioritise prevention options that deliver the best overall environmental outcome including retreading.**
9. **Aluminium materials originating from heat exchangers as specified in Part C, point 12, of Annex VII, shall be recycled separately from the cast and wrought aluminium fractions specified in Part G, point 2(b), of Annex VII.**

PART G

~~INFORMATION TO BE PROVIDED FOR EXEMPTIONS FROM THE OBLIGATION TO REMOVE OF PARTS, COMPONENTS AND MATERIALS FROM END-OF-LIFE VEHICLES~~

CRITERIA FOR COMBINED SHREDDING AND THE APPLICATION OF POST-SHREDDER TECHNOLOGIES

- 1. Criteria for allowing shredding of end-of-life vehicles, their parts, components and materials together with other waste:**
 - (a) Waste Electrical and Electronic Equipment has been treated selectively in accordance with Annex VII of Directive 2012/19/EU prior to shredding together with end-of-life vehicles;**
 - (b) all batteries are removed from all types of waste as specified in Regulation (EU) 2023/1542, prior to shredding together with end-of-life vehicles;**
 - (c) plastic packaging is removed from Packaging Waste and metal Packaging Waste as specified in the [PPWR] is not yet sorted into specific alloy families prior to shredding together with end-of-life vehicles;**
 - (d) the joint treatment of different waste fractions does not result in a deterioration of the quality of the waste streams resulting from treatment compared to the separate treatment of the waste fractions;**
 - (e) the individual contribution of the mixed waste streams to the output fractions shall be able to be determined for the respective reporting requirements on treatment performance of end-of-life vehicles and other requirements for other waste streams such as Regulation (EU) 2023/1542, the [PPWR], Directive 2012/19/EU and Directive 2008/58/EC.**

- 2. Quality requirements for the output fractions:**
 - (a) The copper content of the main steel fraction shall not exceed 0.1% on a weight basis;**

- (b) Aluminium shall be sorted as a minimum into a cast alloys fraction as defined in the standard EN 1706:2020 and wrought alloy fraction, as defined in the standard EN 573-3:2019;
- (c) The shredder heavy fraction derived after air separation and separation of iron, shall be further treated with the aim to separate ferrous, non-ferrous metals, plastics and other organic materials for recycling or recovery. The residue of these processes shall contain less than 1% of metal content by weight and, in accordance with Council Decision 2003/33/EC, less than 5% of total organic content by weight;
- (d) The shredder light fraction shall be further treated with the aim to separate ferrous, non-ferrous metals, plastics and other organic materials for recycling or recovery. The residue of these processes shall contain less than 1% of metal content by weight and, in accordance with Council Decision 2003/33/EC, less than 5% of total organic content by weight.

3. Documentation to be provided for exemptions from the obligation to remove parts, components and materials:

- (a) ~~1-~~ A copy of the written contract between the authorised treatment facility and the facility which performs the shredding operations and uses **or subcontracts** post-shredding technologies, including the specifications on the quality of the secondary materials **ready for recycling** and the technical specification followed in processing treatment fractions from end-of-life vehicles.
- (b) ~~2-~~ A report of the sample analysis ~~on~~ **Documentation by an independent body demonstrating** the quality and quantity of the treatment fractions ~~(output)~~ **ready for recycling** for a representative treatment configuration ~~provided by an independent body.~~
- (c) ~~3-~~ Any other type of documentation demonstrating that the quality and quantity of the materials from the end-of-life vehicles ~~is~~ **are** not lower compared to the quality and quantity of components and parts that were separately removed prior-shredding in accordance with the requirements laid down in Part C.

ANNEX IX

INFORMATION TO BE INCLUDED IN THE CERTIFICATE OF DESTRUCTION

Issued under Article 25 of Regulation of the European parliament and of the Council [.../...] on circularity requirements for vehicle design and on management of end-of-life vehicles.

1.	The establishment or undertaking issuing this certificate	
1.1	Name	
1.2	Address	
1.3	Phone number	
1.4	E-mail (if available)	
1.5	Registration or identification number*	
2.	Competent authority who issued a permit for the establishment or undertaking mentioned in point 1	
2.1	Member State	
2.2	Name	
2.3	Address	
3.	Certificate of destruction	
3.1	Date of issue	
3.2	Number	
4.	Information on the vehicle this certificate of destruction is issued for	
4.1	Nationality mark	
4.2	(A)** Registration number	
4.3	(J)** Category	
4.4	(D.1)** Make	
4.5	(D.3)** Commercial name	
4.6	(E)** Vehicle Identification Number	
4.7	Number of registration certificate	
5.	Information on the owner of the vehicle	
5.1	(C.2.1)** Surname or business name	
5.2	(C.2.2)** Other name(s)	

5.3	(C.2.3)** Address	
5.4	Phone number	
5.5	E-mail (if available)	
6.	Remarks	
<p>* This requirement may be waived in the case where the national registration or identification system does not provide for such number.</p> <p>** Harmonised community codes as referred to in Directive 1999/37/EC</p>		

1. ~~Name, address, and registration or identification number of the establishment or undertaking issuing the certificate, where such number is provided in the national registration or identification system.~~
2. ~~Name and address of competent authority which has issued a permit (in accordance with Article 14 of the Regulation) for the establishment or undertaking issuing the certificate of destruction.~~
3. ~~Date of issue of the certificate of destruction.~~
4. ~~Vehicle nationality mark and registration number (registration document, where such document exists on paper, or statement by the authorised treatment facility issuing the certificate that the registration document has been destroyed⁽²⁾ to be attached to the certificate).~~
5. ~~Class of vehicle, brand and model.~~
6. ~~Vehicle identification number (chassis).~~
7. ~~Name, address, nationality of the holder or owner of the vehicle delivered.~~