



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 19 September 2011**

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**Interinstitutional File:  
2008/0062 (COD)**

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**14251/11  
ADD 2**

**CODEC 1449  
TRANS 238  
ENFOPOL 305**

**ADDENDUM TO "I/A" ITEM NOTE**

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from: General Secretariat of the Council  
to: COREPER

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No. Cion prop.: 7984/08 TRANS 100 CODEC 416

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Subject: Proposal for a Directive of the European Parliament and of the Council facilitating cross-border enforcement in the field of road safety (**second reading**)  
- Approval of the European Parliament's amendments (**LA + S**)  
- Statements

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**Joint statement by the European Parliament and the Council on correlation tables**

The agreement reached between the European Parliament and the Council on the proposal for a Directive facilitating cross-border exchange of information on road safety related traffic offences in the trilogue of 20 June 2011 does not prejudice the outcome of the ongoing inter-institutional discussions on correlation tables.

**Commission statement on road safety guidelines**

"The Commission will examine the need to develop guidelines at EU level in order to ensure greater convergence in the enforcement of road traffic rules by Member States through comparable methods, practices, standards and frequency of controls, in particular in relation to speeding, drink-driving, non-use of seatbelts and failing to stop at a red traffic light".

### **Commission statement on correlation tables**

“The Commission recalls its commitment towards ensuring that Member States establish correlation tables linking the transposition measures they adopt with the EU directive and communicate them to the Commission in the framework of transposing EU legislation, in the interest of citizens, better-law making and increasing legal transparency and to assist the examination of the conformity of national rules with EU provisions.

The Commission regrets the lack of support for the provision included in the proposal for a Directive of the European Parliament and of the Council facilitating cross-border enforcement in the field of road safety, which aimed at rendering the establishment of correlation tables obligatory. The Commission, in a spirit of compromise and in order to ensure the immediate adoption of that proposal, can accept the substitution of the obligatory provision on correlation tables included in the text with a relevant recital encouraging Member States to follow this practice.

However, the position followed by the Commission in this file shall not be considered as a precedent. The Commission will continue its efforts with a view to finding together with the European Parliament and the Council an appropriate solution to this horizontal institutional issue”.

### **Statement by Germany**

Regarding Article 4, paragraph 2, subparagraph 3:

The subparagraph

'The Member State of the offence shall, under this Directive, use the data obtained in order to establish who is personally liable for road safety related traffic offences referred to in Articles 2 and 3.'

is taken to mean that the person who is personally liable within the meaning of this provision can be none other than the driver as it is only he/she who has actually committed the offence. Any data on vehicle operators that is supplied may therefore, in the German delegation's view, be used solely to investigate who the driver is.

**Joint statement by Austria, the Czech Republic, France, Italy, Portugal and Spain**

"Austria, the Czech Republic, France, Italy, Portugal and Spain want to state that for the purpose of investigating the person liable for a road safety related traffic offence, all measures as provided by national law can be taken".

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